

AGENDA
SPECIAL MEETING
GROTON ZONING COMMISSION
APRIL 18, 2018 – 6:30 P.M.
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD
COMMUNITY ROOM 2

I. ROLL CALL

II. APPROVAL OF MINUTES

1. March 29, 2018*
2. April 4, 2018

III. OLD BUSINESS

1. Commission Workshop - Zoning Regulations Rewrite Project**
 - a. Work-to-Date*¹
 - b. Preliminary Zoning Map ¹

IV. PUBLIC COMMUNICATIONS (per the 4/4/18 meeting)**

V. REPORT OF CHAIRPERSON

VI. REPORT OF STAFF

VII. ADJOURNMENT

* ENCLOSED

¹ PAPER COPY OF THESE ITEMS WILL BE DISTRIBUTED AT THE MEETING

Next Regular Meeting: May 2, 2018

** COMMISSION WORKSHOP – ORAL COMMENTS FROM THE PUBLIC WILL NOT BE TAKEN DURING THE “WORKSHOP” PORTION OF THE MEETING. PUBLIC COMMENTS MAY BE SUBMITTED IN WRITING OR PROVIDED ORALLY TO THE COMMISSION DURING THE “PUBLIC COMMUNICATIONS” PORTION OF THIS MEETING FOR ITEMS SPECIFICALLY REVIEWED DURING THIS WORKSHOP. **

MINUTES
SPECIAL MEETING
TOWN OF GROTON
GROTON ZONING COMMISSION
MARCH 29, 2018 – 6:30 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 1

I. ROLL CALL

Regular members present: Hudecek, Marquardt, Smith, Sutherland
Alternate members present: Archer
Absent: Edgerton, Sayer
Staff present: Jones, Zanarini, Gilot

Chairperson Sutherland called the meeting to order at 6:30 p.m. and seated Archer for Sayer.

II. PUBLIC HEARING

1. Special Permit #356, 32 West Main Street, PIN 261918410043, WDD Zone. Proposal is to add outdoor seating with alcohol service and outdoor music to an existing restaurant. Review is per Sections 6.3 and 8.3 of the Zoning Regulations. (Dan Van Kruiningen, Applicant) (Mom Jerry & Jerry, LLC, Owner)

Chairperson Sutherland read the legal notice.

Dan Van Kuiningen, Chapter One, introduced Attorney Michael Devlin, who would present the application.

Attorney Michael Devlin, 90 Paper Mill Road, Baltic, explained the proposal for two outside tables with two chairs at each table. The State of Connecticut Dept. of Transportation has approved the location within the state right-of-way. The tables will extend two feet into the sidewalk, which is 11 feet wide. There will be 9 feet width clearance for pedestrians, double the minimum required by zoning regulations. Food and alcohol will be served. Stanchions will separate the tables from the pedestrian area of the sidewalk. The Liquor Commission amended their agreement with Chapter One to allow alcohol to be served outside. The application also requested outside music. The applicants would limit the decibel level to 70 at the outside tables. The tables will be located under the awning area, and the speakers will be mounted under the awning, turned downward. Some commissioners had concerns because the windows are usually open in the summer, so the indoor music would be additional to the outdoor music. The commission asked if the decibel level has been measured yet. Mr. Devlin said no because the speakers are not being used at this time. The applicants erroneously thought they could use the speakers with the state approval until they were informed that they needed a special permit from the town.

The responsibility of monitoring the sound, the liability, and the amount room required with the stanchions were discussed.

Staff said the concerns that have been raised are about the noise; specifically, noise from inside emanating outside. He noted there is enough sidewalk clearance with the stanchions. The commission discussed the outside tables and speakers at other restaurants in the downtown area. Seats or benches are not considered outside dining, because there is no restriction on the

seating, and no table service. Staff said that with regard to the decibel level monitoring, the town does not have a decibel reader, so it would be up to the applicant.

The Chair asked for comments from the public.

The following people spoke against the application:

- Dana Hambidge, 14 Steamboat Wharf, Apartment 11, due to noise.
- Tom Bradham, 7 Gravel Street, due to noise and pedestrian traffic concerns. He provided written comments, photos and a video.
- Jeff Skinner, 131 Bridge Street, Jerome Properties owner, due to noise.
- Carol Rogers, 75 Steamboat Wharf, due to noise and disturbances.
- Horace Jones, 28 West Main Street, due to noise.
- Daniel Sperduto, 14 Steamboat Wharf, Apartment 10, due to noise.
- Judith Viadella, 7 Gravel Street, due to the noise and the speakers in particular.
- Shannon Wantz, 45 West Main Street, due to loud music consistently on weeknights at unreasonable hours.
- Alex Huong, 14 Steamboat Wharf, due to noise and lack of crowd control.
- Elizabeth Bayne, 38 West Main Street, due to noise, specifically the outdoor speakers, late at night.
- Rosemary Robinson, Ledyard, property manager for Steamboat Wharf, spoke against the application because they are losing tenants.
- Eric Burns, Jerome Properties, manager of four downtown properties, Central Hall developer, due to the narrower sidewalk area posed by the tables, the noise, and changing the character of downtown Mystic.

Horace Jones, 28 West Main Street, asked if the town has a noise ordinance. Staff said they do not.

Mr. Devlin said two tables is consistent with the character of the neighborhood and the remaining sidewalk space would still be wider than the town standard for sidewalks. Noise emanating from inside is not the subject of this hearing. The applicants withdrew the request for outside speakers.

Alex Huong, 14 Steamboat Wharf, asked if there is an eight foot emergency requirement.

Tom Bradham, 7 Gravel Street, had concerns with the space required for the tables as well as the sandwich signs used by the applicants.

Eric Burns, Jerome Properties, 36-44 West Main Street, asked if the commission could prohibit smoking from that area.

Mr. Devin clarified that the application is for the tables to be there only until 10:00 p.m. and then brought inside.

A list of the number of police responses was provided.

Dana Hambidge, 14 Steamboat Wharf, said that when she went to the Police Department to inquire about calls and dispatches, complaints constitute noise complaints, most have been noise, disturbances are fights. Police can't respond because there is no noise ordinance.

Ken Fontaine said they would withdraw the outdoor speakers and they would be willing to mitigate the bass of the music.

The public hearing was closed at 7:58 p.m.

III. CONSIDERATION OF PUBLIC HEARING

1. Special Permit #356, 32 West Main Street

The commission discussed issuing a limited permit. They discussed the character of Mystic. The commission had concerns because there were no positive comments from the residents. They noted the tightening of the sidewalk space, and the use of sandwich signs. Staff said there is not an existing special permit because this use as a restaurant predates zoning. Liquor laws determine what hours they can sell liquor. There were concerns with how to limit or restrict the bass sound from the inside music. Staff said the music is from inside the building, and cannot be restricted by the commission.

MOTION: To approve Special Permit #356, 32 West Main Street, Chapter One Restaurant, to add outdoor seating with the following conditions and findings:

Conditions:

1. The outdoor seating area shall be closed for service by 10:00 pm each evening. All tables, chairs and stanchions will be removed from the sidewalk at that time.
2. All restaurant doors and windows shall remain closed after 10:00 pm to restrict excess noise and prevent indoor music from emanating onto the street.
3. The approval is granted for three months, until the first Zoning Commission meeting in July 2018, at which time the Special Permit shall be reviewed by the Zoning Commission to determine compliance with the conditions set forth. If it is determined that the applicant has complied with the conditions of approval, the Special Permit may be extended for a term to be determined by the Zoning Commission at that time.

Findings and Reasons for Approval:

The Commission finds that this application complies with the objectives of Section 6.3 of the Zoning Regulations in that it will enhance the unique qualities of Mystic and is in keeping with the goals of the Plan of Conservation and Development.

The Commission also finds that this application complies with the special permit objectives in Section 8.3-8 of the Zoning Regulations in that it does not alter the essential characteristics of

the Mystic area, does not cause traffic congestion or safety conflicts, does not conflict with the purposes of these regulations, and will not have a potential environmental impact on adjacent water bodies, including Long Island Sound.

Motion made by Smith, seconded by Sayer. Motion passed 4 – 1, 1 opposed (Marquardt).

IV. PUBLIC COMMUNICATIONS

Staff said there will be public comments accepted at the next meeting.

V. APPROVAL OF MINUTES

MOTION: To approve the minutes of February 21, 2018 as amended.

Motion made by Sayer, seconded by Archer. Motion passed unanimously.

MOTION: To approve the minutes of March 15, 2018 as written.

Motion made by Archer, seconded by Sayer. Motion passed 4-1, 1 abstention (Marquardt).

VI. OLD BUSINESS

1. Commission Workshop - Zoning Regulations Rewrite Project

Staff distributed notebooks to the commissioners to keep track of the zoning regulation rewrite. As sections are completed or finished with discussion, they will be added to the binder for the commission. Staff explained that the WRPD is not included because it has already been adopted, and it may need to be amended.

Smith said he had a change of heart on the Poquonnock Village mixed use zone. He thought they should reconsider including the section of Route 1 to the east of the Route 117 intersection. He suggested that the other commissioners drive by or walk it, and consider rezoning the area on the south side of Route 1 from the Route 117 intersection up to Vergennes Court as mixed use to encourage new development.

VII. NEW BUSINESS

1. Report of Commission - None

2. Receipt of New Applications

Staff said a special permit application was received by Elm Grove Cemetery Association for fill and excavation on their Welles Road property. They missed the deadline for an extension of their special permit by one week, so they were required to apply for a new permit. The public hearing will be scheduled for a time that agrees with Horsley Witten's schedule. Smith said he will be at the May 2nd meeting, and will out of town for the rest of May.

VIII. REPORT OF CHAIRPERSON - None

IX. REPORT OF STAFF

Staff noted that an information session regarding the Poquonnock Bridge Design District study will be held on April 30th at the Library.

X. ADJOURNMENT

Motion to adjourn at 8:36 p.m. was made by Archer, seconded by Sayer; so voted unanimously.

Susan Marquardt, Secretary
Zoning Commission

Prepared by:
Debra L. Gilot
Executive Assistant

MEMORANDUM

TO: Zoning Commission
FROM: Diane Glemboski, Planner II
DATE: April 12, 2018
RE: Latest Updates to Groton Zoning Regulations, Non-Use Definitions and Start of Use Conditions

Staff presents the following brief summary of the decision points to make with the Zoning Commission (ZC) on April 18, as well as the major decision points made at the last meeting on April 4.

Presentations and Handouts for April 18 Meeting

- Handout of a revised copy of all work to date on the zoning regulations update (Dated 4-18-18), including the new Table of Contents and Sections 1-4.
- Handout of the Revised Use Standards (Section 5) for all Accessory Uses and Agriculture, Animal & Natural Resources Uses. Staff will be reviewing edits to the Use Conditions in pieces, and these edits will be presented to the ZC as they are ready.
- An updated copy of the Preliminary Zoning Map. This map will be provided to you when we receive it from HW and will be shown at the meeting.

Decisions from April 4 Meeting

- Reviewed revised Groton Zoning Update Schedule (4-4-18) and ZC recommended staff and HW create a communications program for the remainder of this project to receive timely input from the public and other commissions and agencies.
- Reviewed edits to the non-use definitions (Section 2) and provided minor recommendations for changes. ZC noted that diagrams need to be provided many definitions for clarity. Noted which non-use definitions still need staff and ZC review include Flood Protection, Signs, and Floor Area.
- Reviewed Dimensional, Building and Lot Standards / Town-Wide Standards (Section 4) and required additional review of height limitation exemptions and clarity to the term “reasonable and necessary”. Noted that staff and HW were still working on Required Frontage and Access section.
- Reviewed and had minor comments and revisions for Use Conditions for Accessory Uses and Agriculture, Animal & Natural Resource Uses (Section 5). ZC wanted to review some minimal design standards for ADU’s, not require any review for a home office, add compliance with stormwater regulations for most uses where appropriate, changed the minimum lot area to 5 acres for riding and boarding stables/3 acres for commercial kennels, and agreed to keep 60,000 minimum lot size for a Veterinary Service or Pet Grooming Establishment in an RU district.
- ZC noted that all text should be checked for changing “shall” to another appropriate word and making all terms precise and consistent.

Discussion/Decision Points for April 18 Meeting

- Review of new edits to Non-Use definitions, and discussion of any additional changes desired.
- Consider formatting for Section 3: Should permitted uses be listed under each zoning district? Does there need to be a separate dimensional standards section now that dimensional standards are listed under each zoning district?
- Review of major edits made to the Town-Wide Standards in Section 4 (see handout of all work to date).
- Review of edits and additions to Use Standards (Section 5) for Accessory Uses and Agricultural, Animal & Natural Resources Uses, and discussion of any additional changes desired.
- Review and discussion of Preliminary Zoning Map and draft changes discussed to date.

Town of Groton – Zoning Regulations Draft Restructure – 4-18-18

Note: This draft is a compilation of all the work done to date on Sections 1 - 5 of the zoning regulations

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PREFACE

How to Use these Regulations

Commentary: This section will be completed after the design and page layout formatting is completed.

- a. Content Organization and Page Layout
- b. Symbols and User Notes
- c. Reading the Regulations
- d. Typical Steps for Development
- e. Table of Application Types and Review Agencies
- f. Table of Permitted Uses Guidance

Commentary: This will not be the full Table, but just a sample page showing how to read the Table, and how it cross references with other sections.

- g. Table of Dimension Requirements Guidance

Commentary: As above, this will not be the full Table, but just a sample page showing how to read the Table.

SECTION 1: PURPOSE, AUTHORITY & APPLICATION

Purpose

In accordance with the provisions of Chapter 124 of the General Statutes of the State of Connecticut (CGS), as amended, the Zoning Commission of the Town of Groton hereby adopts the following Zoning Regulations for the Town of Groton, Connecticut, for the following purposes:

Promoting the health, safety, and general welfare of the community; lessening congestion in the streets; securing safety from fire, panic and other dangers; providing adequate light and air; preventing the overcrowding of land and avoiding undue concentration of population; facilitating adequate provision for transportation, water, sewerage, schools, parks, and other public requirements; conserving the value of buildings, and encouraging the most appropriate use of land throughout the Town; providing for the public health, comfort, and general welfare in living and working conditions; regulating and restricting the location of trades and industries and the location of buildings designed for specific uses; regulating and limiting the height and bulk of buildings hereafter erected; regulating and determining the area of yards, courts and other open spaces for buildings hereafter erected; and exercising reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound. (Rev. Eff. 10/1/13)

Authority

The Town of Groton Zoning Official has the authority to interpret these regulations.

Application

All buildings, structures, or parts thereof, must be erected, moved, replaced, reconstructed, extended, enlarged, or altered in conformity with these regulations.

All buildings, structures, or lands must be developed or used in conformity with these regulations and the permitted uses prescribed in these regulations for the zone in which such building, structure, or land is located.

All land must not be divided, or diminished in area or any required dimensional or development standard, except in conformity with these regulations.

Deleted: No land, building, or part thereof shall be constructed, reconstructed, extended, enlarged, moved, arranged, designed, intended to be used, or altered except in conformity with these regulations, and no lot shall be less in area or width nor have small yards, nor shall any building or buildings or part thereof occupy in the aggregate a greater percentage of the lot, nor shall any building be greater in height than as prescribed in the applicable section hereof, except as otherwise specifically provided in these regulations. No lot shall be diminished in area nor shall any yard or open space be reduced, except in conformity with these regulations. ¶

SECTION 2: DEFINITIONS

Commentary: All Use Definitions have been reviewed in detail by the Zoning Commission, and edits are only noted if a change has been made since the Zoning Commission's last review. Non-Use Definitions are still under review by Staff and the Zoning Commission, and edits are noted in Track Changes. All definitions may be subject to change as we continue to review the remainder of the Regulations.

Accessory and Principal Terms

ACCESSORY DWELLING UNIT: A residential dwelling unit subordinate **in size and accessory** to a one-unit dwelling, **which may be located within, attached to, or on the same lot as a one-unit dwelling.**

Deleted: APARTMENT

ACCESSORY USE OR BUILDING: A subordinate use or building or structure incidental to and located on the same lot with the principal use or building or a contiguous lot under the same ownership.

AGRICULTURE, EVENTS: An event or activity accessory to and conducted on the same property as an ongoing Commercial Agriculture operation. Events or activities may be agricultural or non-agricultural in nature, but must use the scenic or agricultural setting of the farm as the basis for the enterprise.

For Example . . .

AGRICULTURE, EVENTS

Examples may include:

- Farm tours
- Classes and/or conferences related to agricultural production and skills
- Petting, feeding and viewing of farm animals
- Special or seasonal events such as weddings, farm dinners, etc.

AGRICULTURE, HOME: The production, principally for the use, consumption, or education of the residents of the property, of agricultural products. May include plants, animals or their products, including gardening, fruit production, and raising of poultry and livestock, including incidental sale of products grown or produced on the site.

CARETAKER/SECURITY SERVICE DWELLING: A dwelling for a caretaker or security services provided as an accessory use and located on the same property as the principal use. Such dwelling units are occupied by an employee or contractor of the principal use who resides on the lot for the legitimate provision of maintenance and/or security services.

CONSTRUCTION VEHICLE AND HEAVY EQUIPMENT PARKING, RESIDENTIAL: The parking of a commercial vehicle as accessory to a primary residential use.

DRIVE THROUGH FACILITY: Any facility associated with an allowed use with operations that includes a building opening, such as windows, doors, or mechanical devices, through which occupants of a vehicle receive a product or service.

HOME-BASED BUSINESS: The use of a portion of a dwelling unit or accessory building for business purposes by the resident occupants which use is clearly incidental and accessory to the residential use of the dwelling unit when such use does not change the residential character thereof.

RESTAURANT, MOBILE: A licensed, motorized vehicle or other mobile food unit which is temporarily parked on a privately or publicly owned lot where food items are sold to the general public.

RETAIL WITH OUTDOOR STORAGE: Any retail establishment with an outdoor area that has been cleared for the temporary or longer term storage of equipment, supplies, products and materials as an accessory use. Such materials are generally in bulk and/or collectively do not serve the purpose of outdoor sales or display.

RETAIL OUTDOOR SALES LOT: Part of a retail establishment with an outdoor arrangement of products or materials, designed and used primarily for the purpose of advertising or identifying a business, product, service, or other non-residential use. Said display includes items normally vended by the contiguous business, is generally deemed integral but accessory to the operation of the business, and may be a fixed, formal element of site design. Said goods are generally too heavy to be returned to the inside of the structure while the business is not in operation.

Agricultural, Animal, and Natural Resources

AQUACULTURE: The farming and production of fish, oysters, clams, mussels and other molluscan shellfish, as well as aquatic plants such as seaweed and other aquatic plants, in tanks or other built structures whether indoors or outdoors, and accessory uses such as feed storage and water treatment facilities. This may include aquaponics, which combines aquaculture with hydroponics (cultivating plants in water) in a symbiotic environment.

AGRICULTURE: The use of land or buildings for agricultural purposes , including farming, dairying, pasturage agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the accessory uses and buildings for growing or storing the products. This term may include incidental retail sales by the producer of products raised on the farm.

AGRICULTURE, COMMERCIAL: The production principally for the sale of plants, animals, or their products including, but not limited to: forage and sod crops, dairy animals and dairy products, livestock, such as cattle, poultry, sheep, swine, horses and goats (including the breeding and grazing of all such animals); bees and apiary products; fruits and vegetables; and nursery, trees, and floral products. Commercial agriculture may be conducted indoors or outdoors, and **must** not include animal feedlots operations, aquaculture, or forestry /silviculture.

Deleted: shall

COMMUNITY GARDEN: A single piece of land gardened collectively by a group of people for the production of plants.

Deleted: Livestock shall not be raised in a community garden.

FORESTRY/SILVICULTURE: Any ongoing activity which may alter the physical or vegetative characteristics of any forest land and which is undertaken in connection with the harvest of commercial forest products and the long term management of the forest land.

KENNEL, COMMERCIAL: Any lot on which 4 or more pets, six months old or older, are available for sale or boarded for compensation, **or on which 2 or more livestock animals, six months old or older, are boarded for compensation. Any use that includes the sale of livestock animals will be considered either home agriculture or commercial agriculture, depending on the size of the lot.** *Note: 4-10-18 Reviewing with ZO*

LIVESTOCK: Any apian, avian, bovine, equine, caprine, ovine, camelid, porcine, poultry, leporine, or other animal that is raised for production of food or fiber, or is used primarily for work, commerce, or exhibition. Such animals that are kept simply for companionship or enjoyment but that do not meet the definition of “pet” herein **are** still considered livestock. This definition also does not include wild animals.

Deleted: shall

Deleted: be

MINIATURE PIGS, GOATS, AND SHEEP: The types of pigs commonly known as Vietnamese pot bellied pigs; the types of goats commonly known as the African Pygmy and Nigerian Dwarf goats; and the type of sheep commonly known as the Miniature Babydoll, Miniature Shetland, and Miniature Cheviot sheep, and similar miniature breeds of pigs, goats, and sheep.

NURSERIES AND GREENHOUSES, COMMERCIAL: A business for the sale of nursery products including living trees or plants, whether or not grown on site, and products or materials ordinarily and necessarily associated with the growing of said trees or plants, including, but not limited to, soil, mulch, fertilizer, containers and water delivery systems. It may include ancillary sale of materials such as paving stones and lawn ornaments, but may not include machinery or equipment such as tractors or lawn mowers.

PET: A domesticated animal such as a dog, cat, common cage bird, rodent, rabbit, ferret, aquarium-kept fish, reptile, or amphibian, which is traditionally kept in the home for companionship or enjoyment rather than for utility or commercial purposes. Does not include livestock and wild animals, with the exception that one (1) miniature pig, goat or sheep may be kept as a pet (keeping of more than one such animal will be considered Home Agriculture).

PET GROOMING ESTABLISHMENT: Any commercial establishment engaged in the washing, brushing, trimming of fur or nails, or other such cosmetic services for domestic pets. Such establishments may not perform medical services, nor allow overnight kenneling of animals.

RIDING OR BOARDING STABLE: A facility for boarding, riding, and training of equines and/or camelids; including riding instruction and fields or arenas used for events.

VETERINARY SERVICE: An establishment of a licensed practitioner engaged in veterinary medicine, dentistry, or surgery for animals such as horses, rabbits, dogs, cats, and birds and other pets, and may include overnight keeping of animals for medical attention.

WILD ANIMAL: Any member of the animal kingdom, other than humans, that is capable of sustaining itself in its native habitat, was not born in captivity, and is not domesticated. Does not include livestock or pets.

Building and Construction Related

ADAPTIVE REUSE: Rehabilitation or renovation of existing building(s) or structures for any use(s) other than the present use(s).

ALTERATION: Any enlargement; addition; relocation; repair; remodeling; change in number of living units; development of or change in an open area or natural feature or watercourse; or other change in a facility, but excluding painting; ordinary maintenance for which no building permit is required; and demolition or removal.

BEST MANAGEMENT PRACTICES (BMPs): Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage. (New Eff: 4/1/2011)

BUILDING STORM DRAIN: A building drain that conducts storm water from any part of a building to an approved storm water disposal location.

CERTIFICATION, EROSION AND SEDIMENT CONTROL: A signed, written approval by the Planning Commission, its designated agent, or the New London County Soil and Water Conservation District, that a soil erosion and sediment control plan complies with the applicable requirements of these regulations.

CERTIFIED EROSION CONTROL SPECIALIST: An individual who has knowledge of soil properties, erosive stormwater runoff, erosion rates, vegetative establishment, sediment capture, sediment detention and sediment control products and is a recognized specialist in soil erosion and sediment control evidenced by successfully completing the Certified Erosion Control Specialist program. (New Eff: 4/1/2011)

DEVELOPER: Any individual, corporation, partnership, or entity which owns a property that is subject to these regulations and planned for or under development, or which finances, manages, designs, administers, or invests in the development or redevelopment of the property.

DEVELOPMENT: Any man-made change to improved or unimproved real estate including, but not limited to, the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings

or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair, or removal of public or private sewage disposal systems or water supply facilities.

Will want to see how this definition works as we go through remainder of the regs. (DG)

DISTURBED AREA: An area of land subject to erosion due to the removal of vegetative cover or earthmoving activities, including filling.

GRADING: Any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

GREEN ROOF: A roof that is purposely designed and built to accommodate natural plantings as a means of treating stormwater, reducing stormwater runoff, reducing energy use, providing habitat and/or forage and for other like purposes generally associated with more sustainable building practices. (New Eff: 4/1/2011)

IMPERVIOUS COVERAGE: The percent of a lot covered by impervious surfaces.

IMPERVIOUS SURFACE: A hard, man-made surface that prevents the percolation of stormwater into the soil including building roofs, streets, parking lots, sidewalks, swimming pools, and other impenetrable surfaces.

LAND UNSUITABLE FOR DEVELOPMENT

This concept is currently not mentioned in the Regulations, though it's a useful thing to define. Will need to discuss this with the Town.

LOW IMPACT DEVELOPMENT (LID): A range of development practices and operational methods, all having the objective of reducing or mitigating environmental impacts. LID may include use of stormwater infiltration, clustering of buildings to reduce land clearing and grading, use of overland (sheet) flow and grass swales, use of pervious pavement or other pervious materials, shared or deferred parking, "rain gardens" and other similar techniques. (New Eff: 4/1/2011)

MIXED USE DEVELOPMENT: A tract of land or building or structure developed for two or more different uses such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment.

NET USABLE OR DEVELOPABLE AREA

This concept is currently not mentioned in the Regulations, though it's a useful thing to define. Will need to discuss this with the Town, along with the definition of "Land Unsuitable for Development."

NON-BUILDABLE AREA

This concept is currently not mentioned in the Regulations, though it's a useful thing to define. Will need to discuss this with the Town, along with the definition of "Land Unsuitable for Development" and "Net Usable or Developable Area."

NON-DISTURBANCE AREA: An area in which the natural state must be maintained and on which no development or construction activity may take place.

Leave definition of NON-DISTURBANCE AREA as stated here and currently used in WRPD. If we want another area that is not total non-disturbance, call it something else = BUFFER AREA (DG)

SITE PLAN: An accurate, scaled plan prepared by a CT registered architect, landscape architect, surveyor or engineer, showing buildings and uses, parking, loading and circulation, open space and landscaping, signs and lighting, utilities and other existing and proposed features required in Section 8.4 of these regulations.

SITE PLAN, SIMPLIFIED: A site plan reflecting minor changes to an existing development where a fully engineered drawing is cost prohibitive relative to the proposed work; an A-2 survey is not necessary to determine zoning compliance; and proposed changes do not involve storm drainage, flood flow or storage, extensive grading, the location of existing or proposed underground utilities, or other attributes requiring professional design, location, and/or documentation on a site plan.

From Windsor ZRegs. Coordinate this definition with Section 8.4 for when applicant does not need a full site plan. Also, clarify in Section 8.4 when the site plan has to be done by an CT engineer and when it can be done by a LA or Architect or Surveyor. (DG)

SOIL: Any unconsolidated mineral or organic material of any origin.

SOIL EROSION AND SEDIMENT CONTROL PLAN: A designed program that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

UNIVERSAL DESIGN FEATURES: Such housing features that are incorporated into the site and building design to make them usable to the greatest extent possible by everyone, regardless of their age, ability or status in life.

Make this definition more general and take all standards and place in another section of the regulations. (DG)

Cultural, Recreation and Entertainment

CAMPGROUND: A lot where two or more campsites are located, established or maintained for occupancy by the general public as temporary living quarters for recreation or vacation purposes.

CAMPSITE: A plot of land within a campground intended for the accommodation of one tent,

DRAFT 4-18-18

For Example . . .

COMMERCIAL RECREATION AND FITNESS, INDOOR, SMALL SCALE
Examples may include:

- Small gym or personal training center
- Small yoga and pilates studios
- Swimming pools
- Martial arts
- Indoor golf, etc.

recreation vehicle, or other individual camping unit on a temporary basis.

CLUB, LODGE OR ASSOCIATION: An establishment occupied and operated by a membership association solely for recreation, social, fraternal, religious, political, or athletic purposes whose activities are confined to members and guests, and not to the general public. *This use category does not include overnight accommodations nor any activity carried out primarily for business or gain.*

COMMERCIAL RECREATION AND FITNESS, INDOOR, SMALL SCALE: A recreational or fitness activity, carried out for profit, generally conducted within a building or substantial structure in a space not to exceed 2,000 gross SF.

COMMERCIAL RECREATION AND FITNESS, INDOOR, LARGE SCALE: A recreational or fitness activity, carried out for profit, generally indoors in a space greater than 2,000 gross SF.

COMMERCIAL RECREATION, OUTDOOR: A recreational activity, carried out for profit, conducted primarily outside of an enclosed building.

ENTERTAINMENT OR SPORTS FACILITIES: An indoor or outdoor land use attracting large numbers of both local and regional visitors for entertainment or sporting events. An entertainment or sports facility may include arenas, amphitheaters, megatheaters, stadiums and ball parks, other sports facilities, and theme parks. (New Eff: 10/1/97) (Updated July 2016)

EXHIBITION HALL: A commercial facility used for assemblies or meetings, including exhibition space, conventions, conferences, seminars, product displays, etc.

GOLF COURSE: A tract of land laid out with a least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, shelters, etc. as accessory uses.

LIBRARY: A public or private facility, open to the general public or to members, in which literary, musical, artistic, or reference materials such as but not limited to books, manuscripts, computers, recordings, or films are kept for use by or loaning to patrons of the facility, but are not normally offered for sale.

MARINA: A facility for the secure mooring of boats, including facilities for the storage and repair of boats and sale of boating equipment, supplies and fuel and accessory facilities such as showers, restrooms and self-service laundries.

For Example . . .

COMMERCIAL RECREATION, OUTDOOR

Examples may include:

- Golf driving ranges
- Miniature golf
- Water parks
- Outdoor ropes courses
- Wall climbing
- Swimming pools
- Batting cages
- Tennis clubs, etc.

MOORAGE: A pier or system of floating or fixed accessways to which boats on water may be secured.

MUSEUM: An establishment serving as a repository for a collection of objects, art or information of interest, arranged, intended, and designed to be used by members of the general public for viewing or interaction, with or without an admission charge, and which may include as an accessory use the sale of goods to the public.

PUBLIC RECREATION, INDOOR OR OUTDOOR: Publicly owned or operated recreation facilities.

TEMPORARY EVENTS: A temporary festival or other such group or aggregation of rides, shows, games, exhibits, demonstrations, or concessions or any combination thereof.

THEATER OR CINEMA: An outdoor or indoor area, building, part of a building, structure, or defined area utilized primarily for rehearsal and production of dramatic, dance, musical, or other live performances or movies. Such establishments may include related services such as food and beverage sales and other concessions, management offices, costume shops, set design shops, and storage areas.

YACHT CLUB: A private or community club with structures, related grounds and/or moorage used for social and recreational purposes related to pleasure boating and/or swimming, the use of which is primarily restricted to members and their guests.

Day Care Related

DAYCARE: A facility that provides for the care of children or adults. Those receiving care are not all related to each other by blood or marriage and are not legal wards or foster children of the attendant adults, and for which care a payment, fee, or grant is made. Of those receiving care, only dependents of an attendant adult living at the site may reside there.

ADULT DAY CARE CENTER: A non-residential facility in which custodial care is provided for related or unrelated adults who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention (including drug or alcohol rehabilitation services). Programs may include training in things such as self-care, activities on daily living, personal and social adjustment, work habits and skills, and speech and language development, and/or recreational activities of a social, athletic or purely diversionary nature. (New Eff: 8/1/92) (Updated August 2016)

FAMILY DAY CARE HOME: A facility which consists of a private family home caring for not more than six (6) children, including the provider's own children not in school full time, where the children are cared for not less than three (3) nor more than twelve (12) hours during a twenty-four (24) hour period and where care is given on a regularly recurring basis. During the regular school year, a maximum of three (3) additional children who are in school full time, including the provider's own children, **are** permitted, except that if the provider has more than three (3) children who are in school

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full time, all of the provider's children **are** permitted. Said facility **conforms** to this definition if it operates either as a for profit or nonprofit business, and meets all the requirements of the State of Connecticut Office of Early Childhood, Division of Licensing "Statutes and Regulations for Licensing Family Day Care Homes", Connecticut General Statutes Section 19a-87b through 19a-87e inclusive, as amended, and any other applicable regulations, statutes or ordinances. This definition **is** deemed not to represent an intensification of use of a property. (New Eff: 10/31/89) (Updated July 2016)

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CHILD DAY CARE CENTER: A facility which offers or provides a program of supplementary care to more than twelve (12) related or unrelated children outside their own homes on a regular basis for a part of the twenty-four (24) hours in one or more days in the week, which is operated either as a for profit or nonprofit business, and meets all the requirements of the State of Connecticut Office of Early Childhood, Division of Licensing "Statutes and Regulations for Licensing Child Day Care Centers and Group Day Care Homes," Connecticut General Statutes Sections 19a-77 through 19a-87 inclusive, as amended, and any other applicable regulations, statutes or ordinances. (New Eff: 10/31/89) (Updated July 2016)

GROUP DAY CARE HOME: A facility which offers or provides a program of supplementary care to *not less than seven (7)* nor more than twelve (12) related or unrelated children on a regular basis for part of the twenty-four (24) hours in one or more days in the week, which is operated either as a for profit or nonprofit business, and meets all the requirements of the State of Connecticut Office of Early Childhood, Division of Licensing "Statutes and Regulations for Licensing Child Day Care Centers and Group Day Care Homes," Connecticut General Statutes Sections 19a-77 through 19a-87 inclusive, as amended, and any other applicable regulations, statutes or ordinances. (New Eff: 10/31/89) (Updated July 2016)

Dimensions & Form

ABUTTER: A person holding a legal interest in real property abutting property cited in an application, petition, or request pending before a commission.

ABUTTING: The condition of two adjoining properties having a common property line or boundary.

BLOCK: The property abutting one side of a street and lying between the two nearest intersecting streets (crossing or terminating), or between the nearest such street and railroad right-of-way, watercourse, or any other physical barrier to the continuity of development, or corporate boundary line of the municipality.

BUILDING: An independent structure having a roof supported by columns or walls. Also includes a shed, garage, stable, greenhouse or other accessory building. Covered porches or covered decks (whether open or enclosed) and fixed awnings **are** considered part of the building, as well

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as all uncovered decks, ramps, and stairs over 30-inches in height. Any other structure over 8-feet in height, including walls and fences, ~~is~~ considered a building for meeting minimum required yard (building setback) standards.

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BUILDING AREA: The horizontal ground area enclosed by the walls of a building together with all roofed portions, covered porches, covered decks, fixed awnings, and uncovered decks, ramps, and stairs over 30-inches in height.

BUILDING COVERAGE: The percentage of the total area of a lot that is covered by the aggregate building area on the lot.

BUILDING LINE: A line parallel to the street at a distance equal to the minimum required front yard.

BUILDING SETBACK: A line marking the setback distance from a lot line which establishes the minimum front, side, or rear yards as required by the zoning district in which the lot is located.

BULK AND MASSING: The size and mutual relationships of a building or structure and the location of same with respect to: size and height of the building; location of exterior walls at all levels in relation to lot lines, streets, or other buildings; gross floor area of the building in relation to the lot area; all open space allocated to the building.

COMMON DRIVEWAY: A private access shared by two or more property owners and providing access for vehicles to a parking space, garage, dwelling, or other structure.

COURT: An open space, other than a yard, on the same lot with a building, which space is bounded on three or more sides by the walls of such a building.

FINISHED GRADE: Only that grading *necessary for construction, not including any filling to gain greater height.*

FLOOR: The top surface of an enclosed area in a building (including basement).

Deleted: i.e. top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

FLOOR AREA: The floor area of a building *will* be the sum of the gross horizontal areas of the several floors of that building measured from the interior faces of the exterior walls. Floor area *will* include *any portions of basement floor area where any part of the basement story is higher than existing grade. The first two vertical feet of any basement story that are exposed above existing grade are excluded from the floor area calculation. The above grade portion of the basement floor area is calculated by multiplying the total basement floor area by the percentage of the volume of the basement story that is higher than existing grade.*

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ICC-Floor Area, Gross. *The floor area within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of interior walls, columns or other features. The*

Deleted: the area of basements when used for non-residential purposes but need not include a basement or portion of a basement used for storage or housing of mechanical or central heating equipment.

floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

ICC- Floor Area, Net. The actual occupied area not including unoccupied accessory areas such as corridors, stairways, toilet rooms, mechanical rooms and closets.

FLOOR AREA, PUBLIC: Includes the floor area of a building which is accessible to visitors, patrons or the general public and does not include those areas of the building used exclusively by employees of the establishment.

FLOOR AREA RATIO: The total floor area of a building or buildings divided by the area of the zoning lot on which it **is located**.

All definitions for Floor and Floor Area are still being reviewed by Staff and Consultants. We will see if we need all definitions and how they are used as we go through regulations (DG)

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FLOOR AREA, USABLE: Any floor area within outside walls or a residential building exclusive of areas in cellars, basements, unfinished attics, garages, open porches, and accessory buildings.

Check building code / livable conditioned space (DG)

FRONTAGE: The uninterrupted linear or curvilinear extent of a lot measured along the street right-of-way from the intersection of one side lot line to the intersection of the other side lot line. All sides of a lot that abut a street **are** considered frontage.

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GRADE, AVERAGE FINISHED: A reference plane established by the average of the ground level adjoining the building or structure along all of the exterior walls, from the exterior wall to a point 10-feet from the building or structure.

HEIGHT, BUILDING OR STRUCTURE: The vertical distance from the average finished grade for a building or other structure, or for a building wing or distinct portion of a building or other structure, to the highest point of the following elevations on the building or other structure:

- to the highest point of the highest dome, flat, shed, or mansard roof, including the top of any parapet;
- to the mean level between the highest ridge and its lowest corresponding eave of a gable, hip, gambrel, or a-frame roof;
- to the highest point of buildings or structures not mentioned here, or for any structures that do not have a roof.

LOT: A plot or parcel of land occupied or capable of being occupied by one principal building and the accessory buildings or uses incidental to it including such open spaces as are required by these regulations. In the case of multi-unit dwellings and public, institutional, commercial, or industrial buildings, a group of buildings under the same ownership may be considered as occupying the same lot.

LOT, AREA: The total horizontal area included within lot lines, measured in square feet.

LOT, CORNER: A lot at the intersection of and abutting on two or more streets,

Deleted: where the angle of intersection is not more than 135 degrees or where the intersection is rounded by a curve having a radius of less than 100 feet

LOT COVERAGE: The area of a lot covered by a building or buildings, expressed as a percentage of the total lot area.

BO/ZO is reviewing with Building Footprint and will clarify if includes overhangs, etc. And structures? (Staff)

LOT, INTERIOR: A lot other than a corner lot or through lot.

LOT, THROUGH: A lot other than a corner lot which abuts two or more streets which do not intersect at the lot.

LOT LINE: The property division line between lots or between a lot and a street.

LOT LINE, FRONT: All lot lines between a street and the lot **are** considered front lot lines. In the case of corner lots, this means there will be at least two front lot lines, one for each street abutted.

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LOT LINE, REAR: The lot line bounding a lot at the rear and approximately parallel to and at the maximum distance from the front lot line. In the case of corner lots, there is no rear lot line, as the lot lines that are not front lot lines are considered side lot lines.

LOT LINE, SIDE: The lot line or lines bounding a lot which extend from the street towards the rear in a direction approximately perpendicular to the street. In the case of through lots, all lot lines extending from streets **are** considered side lot lines. In the case of corner lots, all lot lines that are not front lot lines are considered side lot lines.

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LOT, MINIMUM WIDTH OF: The distance between the side lot lines measured in a straight line at right angles to the mean direction of such side lot lines, which line of measurement **must** touch, but not be in front of, the building line. In the case of a corner lot, the minimum width **js** similarly measured based only on the front lot line which has the least dimension. Any other front lot lines adjacent thereto **are** considered as side lot lines for the purpose of this measurement only.

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LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). (Eff: 2/10/95)

1-19-18: Review current lowest floor definition in flood regs section 6.6. BO/ZO is also reviewing. (DG)

NON-CONFORMING BUILDING: A building or structure that does not conform to these regulations with respect to size, height, setback or other construction requirements for the zone in which it is situated.

NON-CONFORMING LOT: A parcel of land that does not meet the area, width or other requirements for the zoning district in which it is located.

NON-CONFORMING USE: A use of land or of a building that does not conform to these Regulations for the zone in which it is situated.

PORCH: A one-story roofed structure attached to a house, with no floor space above and which is not heated or cooled and is open on all sides not attached to the house.

PREMISES: A lot, together with all buildings and structures thereon.

STORY: A space in a building between the surface of any floor and the surface of the next floor above, or if there is no floor above, then the space between such floor and the ceiling or roof above; provided, however, that where the floor level of the first story is at least **five feet below** the adjoining finished grade, the space **js** considered a basement and not counted as a story.

Note: 4-5-18 Need to still check with BO/ZO on this definition.

STREET: **An accepted State or Town road or a road on an approved subdivision plan that is duly bonded.** "Street" **js** deemed to include the entire width of the right-of-way.

Need additional review. Maybe Revise to Street, Accepted Public, Street, Unaccepted Public, Accessway, Private. Clarify "way"? Clarify "other right-of-way giving access to the lot"? What about shared common driveways for a group of homes? (DG)

STREET LINE: The line dividing the street and the lot.

STRUCTURE: Anything constructed or erected which requires location on, in, or under the ground, or anything attached to something located on, in, or under the ground.

YARD: An area on a lot between a building or group of buildings and the nearest lot line that is unoccupied and unobstructed from the ground upward, except as otherwise permitted by these regulations.

YARD, FRONT: An area between the building and the front lot line, extending the full width of the lot, or in the case of a corner lot, extending along all streets.

YARD, REAR: An area between the building and the rear lot line, extending the full width of the lot.

YARD, SIDE: An area between the building and a side lot line, extending from the front yard to the rear yard. Any yard not a rear yard or a front yard **js** deemed a side yard.

YARD, MINIMUM REQUIRED: The minimum yard requirement for each zoning district as set forth in these regulations. Otherwise known as a Building Setback.

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Deleted: A public way

Deleted: or a way opened to public use or other right-of-way giving access to the lot, but excluding an alley used for service access only.

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Flood Protection

BASE FLOOD: A flood having a one percent chance of being equaled or exceeded in any given year; a 100 year storm. (New Eff: 2/10/95) *(Same definition used in Sec 2)*

BASE FLOOD ELEVATION: The level, referenced to mean sea level, to which the flood waters of the base flood rise at any particular location. (New Eff: 2/10/95)

BASEMENT: For flood management purposes, any area of a building having its floor subgrade (i.e., below ground level) on all sides. (New Eff: 2/10/95)

BREAKAWAY WALL: A wall that is not part of the structural support of a building and is intended through its design to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system. (New Eff: 2/10/95)

COASTAL AE ZONE: An area defined as the Limit of Moderate Wave Action (LiMWA), or a boundary of the landward limit of waves of 1.5 feet in height, on a Flood Insurance Rate Map (FIRM). (New Eff: 5/1/15)

COASTAL HIGH HAZARD AREA: An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are designated as zone VE on a Flood Insurance Rate Map (FIRM).

COST: As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a structure **must** be established by a detailed written contractor's estimate. The estimate **must** include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total.

Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds and gazebos.

DEVELOPMENT: Any man-made change to improved or unimproved real estate including, but not limited to, the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair, or removal of public or private sewage disposal systems or water supply facilities.

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ELEVATED BUILDING: A non-basement building built to have the top of the elevated floor located above the ground level by means of pilings, columns (i.e., posts or piers) or shear walls or by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

In VE flood zones, a non-basement building built to have the bottom of the lowest horizontal structural member of the elevated floor located above the ground level by means of pilings, columns (i.e., posts or piers) or shear walls parallel to the flow of water and adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood; it includes a building otherwise meeting the definition of "elevated building" in the following sentence, even if the lower area is enclosed by means of breakaway walls, if such walls meet the standards of Section 6.6-7 C. of these regulations. In all other locations, a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls. (Eff: 2/10/95)

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA): The federal agency that administers the National Flood Insurance Program (NFIP).

FINISHED LIVING SPACE: As related to fully enclosed areas below the base flood elevation (BFE), a space that is, but not limited to, heated and/or cooled, contains finished floors (tiles, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.

FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD HAZARD AREA: The maximum area of the flood plain which is likely to be flooded by a 100 year flood, or any area for which mudslides can reasonably be anticipated.

FLOOD INSURANCE RATE MAP (FIRM): An official map on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazard and the risk premium zones. (New Eff: 2/10/95)

FLOOD INSURANCE STUDY (FIS): The official report from the Federal Emergency Management Agency (FEMA) which contains examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations. (New Eff: 2/10/95)

FLOOD, 100 YEAR: That level of flooding having a one percent probability of occurrence in any year. (Eff: 2/10/95)

FLOOD PLAIN AREA: The relatively flat area or low lands adjoining the channel of a river, stream, watercourse, canal, or any body of standing or tidal water, which has been or may be covered by flood water.

FLOODPROOFING: Any combination of structural and nonstructural additions, changes, or adjustments to properties and structures, primarily for the reduction or elimination of flood damage to lands, water, and sanitary facilities, structures, and contents of buildings.

FLOODWAY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

FLOOR (LOWEST): The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such an area meets the design requirements specified in Section 6.6-3G of this regulation.

FUNCTIONALLY DEPENDENT FACILITY: A facility which cannot be used for its intended purpose unless it is located in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

FUNCTIONALLY DEPENDENT USE: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.

HISTORIC STRUCTURE: For purposes of flood protection, any structure that is: (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) by an approved state program as determined by the Secretary of the Interior or (2) directly by the Secretary of the Interior in states without approved programs.

LIMIT OF MODERATE WAVE ACTION (LiMWA): The inland limit of the area affected by waves greater than 1.5-feet. The area between this inland limit and the VE zone boundary is known as the Coastal AE Zone on a Flood Insurance Rate Map (FIRM). (New Eff: 5/1/15)

MARKET VALUE: As related to substantial improvement and substantial damage, the market value of the structure is determined by the appraised value of the structure using the cost approach to value method prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring.

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MEAN SEA LEVEL: Means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988, or other datum to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

NEW CONSTRUCTION: Within areas of special flood hazard and risk premium zones, any structure for which the start of construction commenced on or after the effective date of the initial Flood Insurance Rate Map (i.e., April 15, 1977), as well as any subsequent improvements to such structure. (New Eff: 2/10/95)

SAND DUNES: Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

SPECIAL FLOOD HAZARD AREA (SFHA): The land in the floodplain within a community subject to a one (1) percent or greater change of flooding in any given year. SFHA's are determined utilizing the base flood elevations (BFE) provided on the flood profile in the flood insurance study (FIS) for a community. BFE's provided on Flood Insurance Rate Maps (FIRM) are only approximate (rounded up or down) and should be verified with the BFE's published in the FIS for a specific location. SFHA's include, but are not necessarily limited to, the land shown as Zones A, AE, AO, AH, and the coastal high hazard areas shown as Zone VE on a FIRM. The SFHA is also called the area of special flood hazard.

START OF CONSTRUCTION: Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, regardless of whether such alteration affects the external dimensions of such building. (Eff: 2/10/95)

STRUCTURE: For flood management purposes, "structure" means a walled and roofed building that is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made infrastructure. (Eff: 2/10/95) (*VHB suggests redefining this*)

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT: Any combination of repairs, reconstruction, alteration or improvements to a structure taking place over a one (1) year period, in which the cumulative cost equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure using the cost approach to value method, prior to the start of the initial repair or improvements, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purpose of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure". (Eff: 2/10/95, Revised Eff: 7/1/13)

VARIANCE: A grant of relief by a community from the terms of the floodplain management regulation that allows construction in a manner otherwise prohibited and where specific enforcement would result in unnecessary hardship. (*VHB suggests redefining this*)

VIOLATION: A failure of a structure or other development to be fully compliant with the community's floodplain management ordinance. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION: The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

General

AFFORDABLE HOUSING: Housing, whether for rent or for ownership, that meets the criteria for affordable housing as defined by C.G.S. Section 8-30g-2.

BOARD: The Zoning Board of Appeals of the Town of Groton. (New Eff: 4/1/2011)

CAMA: A Computer Aided Mass Appraisal system used by the Groton Assessor to establish fair market value for all land and improvements within the Town of Groton. (New Eff: 2/16/01)

CANOPY TREE: A large deciduous tree having a minimum height of twenty five (25) feet at maturity, typically used as a means of providing shade within and adjacent to parking areas, play areas or other such open spaces, as a means of reducing excessive heat, reducing stormwater temperatures from pavement areas and for other like beneficial purposes. (New Eff: 4/1/2011)

COMMISSION: Unless otherwise specified, **Commission** means the Planning and Zoning Commission of the Town of Groton. (Eff: 4/1/2011)

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CRITICAL ROOT ZONE: A circular area measured outward from a tree trunk, representing the essential area of the roots that must be maintained for the tree's survival and typically associated with the "drip line" or otherwise one foot of radial distance for every inch of tree diameter at breast height (i.e. 4 ½ feet above grade), but in no case less than an eight foot radius. (New Eff: 4/1/2011)

DEEP: State of Connecticut Department of Energy and Environmental Protection

DIRECTOR OF HEALTH: The Director of the duly appointed Health District for the Town of Groton or his/her deputy.

EROSION: The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

EXEMPTION: A privilege which dispenses with the general standard for a use or activity that would otherwise be required or regulated.

~~FAMILY: Any number of individuals related by blood, marriage, or adoption, living together as a single housekeeping unit. A group of not more than four persons keeping house together, but not necessarily related by blood or marriage, may also be considered a family. (Eff: 9/4/93)~~

~~See new definitions for household. (DG)~~

GARAGE: A building or structure, or part thereof, used or designed to be used for the parking and storage of vehicles.

HAZARDOUS MATERIAL: Hazardous Material means (A) any hazardous substance as defined by 40 CFR 302.4 and listed therein in Table 302.4, excluding mixtures with a total concentration of less than 1% hazardous substances based on volume, (B) any hazardous waste as defined by Section 22a-449(c)-101 of the Regulations of Connecticut State Agencies, (C) any pesticide

defined by Section 22a-47 of the Connecticut General Statutes, or (D) any oil or petroleum as defined in Section 22a-448 of the Connecticut General Statutes.

INVASIVE PLANTS: A group of harmful non-native plants that, once introduced, can proliferate in the environment, crowding out or destroying indigenous plants. A complete list of such invasive plants can be found at the State of Connecticut DEEP and includes such plants as barberry, euonymus, bittersweet, and purple loosestrife. (New Eff: 4/1/2011)

NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES): A body of federal law regulating discharges to waters of the United States and administered in part by the State of Connecticut DEEP. (New Eff: 4/1/2011)

NATIVE PLANTS: Plants having their natural origin in the region which, taken together with other plants, land forms, soils, and other natural conditions, create a healthy and self-sustaining eco-system, capable of supporting a diverse range of species, and requiring little if any special maintenance (irrigation, pesticides, fertilizers, etc.). (New Eff: 4/1/2011)

Renamed "Yard Space" for purposes of discussion. (HW)

OPEN SPACE: Land or water areas which include but are not limited to: areas left in their existing or natural state; areas and facilities for non-commercial, non-profit passive and active recreation; or areas for wildlife habitat, groundwater recharge and scenic protection.

Needs further review/ discussion (DG)

OPEN SPACE, USEABLE: Land within a development that is not covered by buildings, roads, driveways, parking areas, or service areas, or which is not set aside as private yards, private patios, or private gardens for individual residents. Such land may be configured throughout a site so as to provide for passive and active recreational opportunities, as well as conservation purposes.

Needs further review/discussion. (DG) This term is currently only used in relation to multi-family residential uses.

OVERLAY DISTRICT: A special zoning district which addresses special land use circumstances or environmental safeguards and is superimposed over the underlying existing zoning district(s). Permitted uses in the underlying zoning district(s) may continue subject to compliance with the regulations of the overlay district.

PLANNING AND ZONING COMMISSION: Means the Planning and Zoning Commission of the Town of Groton.

SEDIMENT: Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site or origin by erosion.

SPECIAL PERMIT: A development permit that must be obtained for certain classes or kinds of buildings, structures or uses of land that may only be appropriate in particular locations or districts based on how their attributes relate to specific locations, and where modifications

Deleted: OPEN SPACE: A space, not occupied by a building or other roofed structure, on the same lot as the principal building.

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and reasonable conditions and safeguards may be imposed to render the application consistent with the Zoning Regulations.

WATERCOURSE: A river, stream, brook, waterways, lake, pond, marsh, swamp, bog, and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through, or border upon the Town or any portion thereof, not regulated pursuant to Sections 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes.

XERISCAPE: An approach to landscaping that uses drought-tolerant plants, stone and other like materials in naturalized settings, as a means of reducing water use and maintenance costs. (New Eff: 4/1/2011)

YARD SPACE: A space, not occupied by a building or other roofed structure, on the same lot as the principal building.

ZONING OFFICIAL: The officer designated by the Town of Groton as the officer responsible for enforcing and administering the requirements of the Town's Zoning Regulations.

Health Facilities

HOSPITAL/EMERGENCY TREATMENT CENTER: A facility for health maintenance, diagnosis or treatment of human diseases, pain, injury, or physical condition. Such facility may include overnight accommodations for patients, ancillary services such as pharmacies, cafeterias and gift shops, and emergency room facilities with accommodations for ambulance traffic.

MEDICAL/HEALTH CARE OFFICE/CLINIC: A facility where human patients, who are typically not lodged overnight, are treated by physicians, dentists, therapists, other health care professionals or similar professions. Such facility may include ancillary laboratory, rehabilitation, and pharmacy services.

MEDICAL LABORATORY: A facility for the analysis of blood, tissue, or other human medical products.

For Example . . .

MEDICAL/HEALTH CARE OFFICE/CLINIC

Examples may include:

- Health Clinic
- Physician or Dentist Office
- Massage Therapist
- Physical Therapy Clinic
- Acupuncture Clinic
- Chiropractic Clinic
- Mental Health Therapist

For Example . . .

**FOOD AND KINDRED PRODUCTION,
SMALL SCALE**

Examples may include:

- Coffee roasting
- Ice cream
- Baked goods
- Confectioneries
- Canned and preserved fruits and vegetables
- Sodas and seltzers, etc.

For Example . . .

**FOOD AND KINDRED PRODUCTION,
MAJOR**

Examples may include:

- Machine-produced bakery and confectionary products
- Machine processing and jarring or canning of fruits and vegetables
- Large-scale dairy, meat and fish processing, etc.

Industrial

ALCOHOLIC BEVERAGE PRODUCTION: A facility used for the commercial purpose of processing grapes, grains, or other fruits or vegetables to produce wine, beer or spirits. Processing includes wholesale sales, crushing, brewing, distilling, fermenting, blending, aging, storage, bottling, administrative office functions, and warehousing. Retail sales and tasting facilities of wine, beer, spirits and related promotional items, as well as a café with limited food service, may be permitted as part of any winery, brewery or distillery operations.

For Example . . .

HEAVY INDUSTRIAL

Examples may include:

- The manufacture of clothing, fabrics, and other textiles
- Production of chemicals, drugs, plastics
- Dry cleaning plants and dyeing facilities
- Fabrication of metal for tools and machines
- Jewelry Manufacturing or plating
- Lumber, wood and paper production
- Foundries and rolling and extruding of metals
- Waste handling/reduction facilities
- Solid waste disposal facility
- Electrical equipment production

ALCOHOLIC BEVERAGE PRODUCTION, LARGE SCALE:
Includes the definition for Alcoholic Beverage Production, and exceeds 2,000 SF of floor area.

ALCOHOLIC BEVERAGE PRODUCTION, SMALL SCALE:
Includes the definition for Alcoholic Beverage Production, and does not exceed 2,000 SF of floor area.

ARTISAN AND CRAFT WORKSHOPS: An establishment, not exceeding 3,000 SF of floor area, for the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, leathercraft, hand-woven articles, and related items.

BREWERY: Included under the definition for Alcoholic Beverages Production

DISTILLERY: Included under the definition for Alcoholic Beverages Production.

FILLING/EXTRACTION OF EARTH PRODUCTS: The removal, extraction, excavation, fill, or grading for any purpose of soil, sand, shell, gravel, ore, rock, clay or any similar material by whatever process.

FLEX SPACE: A building designed to accommodate a combination of office, light industrial, wholesale, and warehousing functions, the exact proportions of each use being subject to user needs over time.

FOOD AND NON-ALCOHOLIC BEVERAGE PRODUCTION, LARGE SCALE: Any facility of more than 3,000 SF that engages in commercial on-site production and packaging of food, food related products, and/or non-alcoholic beverages, including wholesale.

FOOD AND NON-ALCOHOLIC BEVERAGE PRODUCTION, SMALL SCALE: Any facility of no more than 3,000 SF that engages in commercial on-site production of artisan or small-batch food, food related products and/or non-alcoholic beverages, generally produced by hand or with limited mechanization, and including limited wholesale.

HEAVY INDUSTRIAL: Uses engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous conditions.

LAUNDRY, COMMERCIAL: A facility used for the commercial cleaning of fabrics, textiles, wearing apparel, or articles of any sort, without the use of dry cleaning chemicals.

LIGHT INDUSTRIAL: A facility engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products.

OUTDOOR STORAGE YARD, ACCESSORY: An outdoor area for storing or displaying materials, goods, or equipment associated with a primary use.

OUTDOOR STORAGE YARD, PRINCIPAL: An outdoor area for storing or displaying materials, goods, or equipment as a primary use.

SAILMAKING: A manufacturing establishment that makes and repairs sails for sailboats, kites, hang gliders, wind art, architectural sails, or other structures using sails. A sailmaker typically works on shore in an indoor sail loft large enough to lay out sails for construction or repair.

For Example . . .

LIGHT INDUSTRIAL

Examples may include:

- Manufacturing of furniture and fixtures
- Jewelry assembly
- Musical instruments and parts
- Moving and storage uses
- Photo processors and photo labs
- Printing and publishing
- Professional, scientific, and controlling instruments
- Research and testing services
- Scientific and research laboratories
- Screen printing/embroidery of clothing
- Stone, clay, glass, and firewood production.

Modern sailmaking may involve computer-aided design and manufacturing tools, including low-power lasers to cut sail materials.

WAREHOUSE AND DISTRIBUTION: A facility where goods are received and/or stored for delivery to the ultimate customer at remote locations. This definition includes parking lots for overnight truck, railcar or shipping container storage, and such establishments as commercial distribution services, freight forwarding services, and freight agencies. May include intermodal distribution facilities for a mix of truck, rail, or shipping transport.

WHOLESALE: A place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

WINERIES: Included under Alcoholic Beverage Production.

Residential

Residential, General Terms

DWELLING: Any building or portion thereof, which is designed or used exclusively for residential purposes and containing one or more dwelling units.

DWELLING UNIT: A room or group of rooms connected together that include a bathroom and facilities for living, sleeping, cooking, and eating that are arranged, designed, or intended to be used as living quarters for one household, whether owner occupied, rented, or leased.

HOUSEHOLD: A household is considered as: (a) One person, together with up to 2 home or personal care employees; (b) 2 or more persons, each related to the other by blood, marriage, or adoption, together with up to 2 home or personal care employees, or; (c) up to 6 persons all of whom are not necessarily related to each other by blood, marriage, or adoption, and their children living together in a dwelling unit and legally partaking in the ownership, lease, or possession of the premises.

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ROOMING UNIT: A room designed for living and sleeping with a separate exit to a common hallway or to the outside, which may or may not have a bathroom and does not have a kitchen.

Residential, Household Living

ACCESSORY UNIT: A dwelling unit subordinate to a one-unit dwelling.

ACTIVE SENIOR HOUSING: Housing designed for seniors, 55 years or older and providing several, but not all of the services and facilities required for Assisted Living or Congregate Living Facilities. Furthermore, it is a housing facility or community that fully complies with the provisions of the United States Fair Housing Act 42 USC Section 3601 et seq. as amended, (and Connecticut State Statutes Section 46a-64b, as amended, as it pertains to "Housing for Older Persons.") This includes compliance with any and all rules promulgated by the United States

Department of Housing and Urban Development which govern implementation of such Act and compliance with all rules and restrictions promulgated by the Town of Groton and set forth in this zoning regulation. (New Eff: 3/1/05)

COTTAGE COMMUNITY: A residential development on a single lot made up of cottage units that may be situated on a common, landscaped courtyard, share a common parking area, and may include one or more common buildings for community gatherings, as authorized pursuant to **Section XX** of these regulations and in compliance with all of the design standards therein.

COTTAGE UNIT: A one-unit dwelling built as part of a Cottage Community, as authorized pursuant to **Section XX** of these regulations and in compliance with all of the design standards therein.

EFFICIENCY/MICRO-UNIT: A dwelling unit with at least 150 SF and no more than 500 SF of floor area.

HOUSEHOLD LIVING RESIDENTIAL: Household living residential means the use of one or more dwelling units located within the principal structure (s) of a lot by a household(s), in which the unit(s) may or may not share a common wall with the adjacent unit(s) or have individual entrances from the outside.

MULTI-UNIT CONVERSION: A multi-unit dwelling developed by converting an existing building from another use.

MULTI-UNIT DWELLING: Three or more principal dwelling units, all of which are located on the same lot.

ONE-UNIT DWELLING: One principal dwelling unit located on a lot that does not contain any other principal dwelling units.

TWO-UNIT DWELLING: Two principal dwelling units located on the same lot, with no other principal dwelling units located on such lot.

MOBILE MANUFACTURED HOME: A home constructed entirely within a controlled factory environment and built to the federal Manufactured Home Construction and Safety Standards (HUD Code). The home may be single or multi-sectional, is able to be transported to the site and installed on rigid supports, is suitable for year round habitation, and is equipped with a means to connect to water, sanitary and electric facilities.

For the purpose of flood management regulations, the term also includes park trailers and recreational vehicles placed on a site for 180 consecutive days or longer and intended to be improved property. This definition **does** not include recreational vehicles placed on sites for fewer than 180 consecutive days and which are fully licensed and ready for highway use; a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached

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to the site only by quick disconnect type utilities and security devices and has no permanently attached additions (Eff: 2/10/95)

MOBILE MANUFACTURED HOME PARK OR SUBDIVISION: Any area or tract of land designed for the parking or other type of installation of mobile manufactured homes on lots or space offered for lease or rent, including all improvements, buildings, structures, recreation areas, or other facilities for the use of the residents of such development, and situated in such a way as to comply with the Town's adopted floodplain management regulations. This includes both Existing and New such developments, as well as their Expansion.

MOBILE MANUFACTURED HOME PARK OR SUBDIVISION (EXISTING): A mobile manufactured home park or subdivision for which the construction of facilities for servicing the lots or space on which the mobile manufactured homes are affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before April 15, 1977, the effective date of the floodplain management regulations adopted by the Town.

MOBILE MANUFACTURED HOME PARK OR SUBDIVISION (EXPANSION): The preparation of additional sites by the construction of facilities for servicing the lots or space on which the mobile manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

MOBILE MANUFACTURED HOME PARK OR SUBDIVISION (NEW): A mobile manufactured home park or subdivision for which the construction of facilities for servicing the lots or space on which the mobile manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was or is completed on or after April 15, 1977, the effective date of the floodplain management regulation adopted by the community.

MOBILE MANUFACTURED HOME LOTS OR SPACE: A plot of ground within a mobile manufactured home park or subdivision designed for the accommodation of one mobile manufactured home.

Residential, Lodging

BED AND BREAKFAST: An owner-occupied residential facility that is managed by the property owner, provides transient lodging to the general public, without in-room cooking facilities, and has a total occupancy of not more than 16 persons including the owner-occupants. Guest rooms may be located in the primary building and/or up to one accessory building.

HOTEL/MOTEL: A building or buildings providing transient lodging to the general public for compensation, with daily cleaning service, and with or without meals or kitchen facilities.

Residential, Health/Institutional

ASSISTED LIVING FACILITY: A managed residential facility designed for seniors who require assistance in their daily care and with support-services provided through an entity that is licensed by the CT Department of Public Health as an Assisted Living Services Agency (ALSA). The facility must offer communal dining facilities with full meal service, nursing services, transportation, and assistance with personal care to residence. This includes facilities licensed and designed to meet the needs of seniors with Alzheimer's or other dementia-related illnesses.

CONGREGATE LIVING FACILITY: A residential facility designed for seniors, 55 years or older, who require little, if any, assistance with activities of daily living and who may have some home health care-type services provided to them by in-house staff or an outside agency. The facility must offer communal dining facilities with at least one daily meal and include, but not be limited to, services such as housekeeping, organized social and recreational activities, and transportation services.

COMMUNITY GROUP RESIDENCE, LIMITED: TBD

NURSING FACILITY: A residential facility licensed by the State of Connecticut Department of Public Health to provide for short-term or long-term nursing, convalescent, and rehabilitative care.

RESIDENTIAL COUNSELING FACILITY: TBD

RESIDENTIAL LIFE CARE FACILITY: A service-enriched facility comprised of a building or group of buildings located on one or more contiguous parcels of land containing one or more facilities defined herein as congregate living facilities and assisted living facilities, primarily for the aged, and may or may not include nursing facilities. The facility may also contain meeting rooms, dining rooms, a central kitchen, and recreation areas for the use of the residents of the facility, offices used for the management and operation of the facility, and services such as, but not limited to, a general store, beauty shop, and laundry for the use of the residents.

TRANSITIONAL HOUSING: TBD

Restaurant/Drinking Establishment Related

DRINKING ESTABLISHMENT (CAFÉ, BAR OR COCKTAIL LOUNGE): A commercial establishment open to the general public which sells and serves alcoholic beverages for consumption on the premises, and in which the service of food is only incidental to the consumption of such beverages. Dancing and entertainment may also be permitted.

FOOD TRUCK: See RESTAURANT, MOBILE

RESTAURANT, FAST-FOOD: Any establishment whose business involves the sale of pre-prepared or rapidly prepared foods, confections or beverages to the customer in a ready-to-consume

state, and whose method of operation is such that customers normally order and obtain the product at a central location separate from the tables or counters used for consumption on site. This definition includes convenience stores which sell prepared food for on-site consumption, *as well as take-out-only restaurants*. (New Eff: 12/16/88) (Updated July 2016)

RESTAURANT, MOBILE: A licensed, motorized vehicle or other mobile food unit which is temporarily parked on a privately or publicly owned lot where food items are sold to the general public.

RESTAURANT, STANDARD: Any establishment whose business involves the sale of foods, confections or beverages to the customer in a ready-to-consume state, and whose method of operation is such that an employee normally takes the seated customer's order and serves the food or beverages at tables and/or counters located inside or outside the building. (New Eff: 12/16/88)

Retail

RETAIL: A commercial enterprise that provides goods and/or services directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the purchaser.

RETAIL, LARGE-SCALE: A single user commercial building, having a gross floor area of 40,000 SF or greater, generally serving local, Town and regional consumer needs.

RETAIL, MEDIUM-SCALE: A single commercial use, having a gross floor area of 10,000 SF or greater, but less than 40,000 SF, generally serving local and Town consumer needs.

RETAIL, SMALL-SCALE: A single commercial use, having a gross floor area of less than 10,000 SF, generally serving local consumer needs.

RETAIL WITH OUTDOOR STORAGE: Any retail establishment with an outdoor area that has been cleared for the temporary or longer term storage of equipment, supplies, products and materials as an accessory use. Such materials are generally in bulk and/or collectively do not serve the purpose of outdoor display.

RETAIL OUTDOOR SALES LOT: Part of a retail establishment with an outdoor arrangement of products or materials, designed and used primarily for the purpose of advertising or identifying a

For Example . . .

RETAIL WITH LARGE INDOOR DISPLAY AND STORAGE

Examples may include:

- Furniture stores
- Appliance stores
- Hardware stores
- Carpet stores, etc.

For Example . . .

PERSONAL SERVICES

Examples may include:

- Tailoring and shoe repair
- Beauty and barber services and day spas
- Tattoo Parlor
- Laundry and dry cleaning, self-service or pick-up only
- Repair of office equipment and personal and household items

business, product, service, or other non-residential use. Said display includes items normally vended by the contiguous business, is generally deemed integral but accessory to the operation of the business, and may be a fixed, formal element of site design. Said goods are generally too heavy to be returned to the inside of the structure while the business is not in operation.

RETAIL WITH LARGE INDOOR DISPLAY AND STORAGE: A retail establishment that sells large items that require significant display and storage space, and larger facilities for loading and warehousing than a typical retail establishment.

Services

CEMETARY: Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums and mausoleums, when operated in conjunction with and within the boundary of such cemetery.

CHURCHES AND OTHER PLACES OF RELIGIOUS WORSHIP: A building, together with its accessory buildings and uses, where persons regularly assemble for religious purposes and related social events and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes. Includes associated residential structures and associated buildings for religious personnel, but not any school buildings or activities.

CREMATORY SERVICES: An enclosed facility wherein human remains are cremated.

FUNERAL SERVICES: An establishment providing services such as preparing the human dead for burial and arranging and managing funerals, and may include limited caretaker facilities. This classification excludes crematory services, cemeteries, columbariums, and other permanent storage of human remains. The facility may include an indoor space for the conduct of funeral services and other spaces for funeral services and informal gatherings or display of funeral equipment.

PERSONAL SERVICES: Establishments that provide non-medical, individual services generally related to personal needs.

PROFESSIONAL OFFICES: A facility for professional services, as opposed to retail products, to individuals, business, industry, government, and other enterprises.

SCHOOLS, PUBLIC/PRIVATE (K-12): A site that is operated as a primary or secondary school and which contains all improvements required by local, State of Connecticut, and/or federal regulations necessary for general primary or secondary academic instruction.

For Example . . .

PROFESSIONAL OFFICES

Examples may include:

- Offices for architects, engineers, lawyers, real estate, insurance, and other professional occupations
- Banks and financial services
- Offices of Government agencies

SCHOOLS, PUBLIC/PRIVATE (Post-High School / College): A post-secondary institution for higher learning that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. This may also include community colleges and trade schools that grant certificates of completion in business, technical or vocational fields.

PROFESSIONAL, ARTS AND EDUCATIONAL SCHOOLS AND STUDIOS, NON-DEGREE: Non-degree granting professional and educational service businesses or organizations providing specialized education and instruction for children and/or adults.

For Example . . .

PROFESSIONAL, ARTS AND EDUCATIONAL SCHOOLS AND STUDIOS, NON-DEGREE

Examples may include:

- Business and office skills
- Public speaking
- Computer training
- Music Studio
- Dance Studio
- Acting Studio
- Fine Art Studio, etc.

SELF-SERVICE STORAGE FACILITY: Any real property designed and used for the renting or leasing of individual self-contained units of storage space to occupants who are to have access to such units for storing and removing personal property only, and not for residential purposes. (New Eff: 12/9/96)

Signs

Commentary: Sign definitions have not been reviewed by staff and will be reviewed with sign standards.

SIGN: Any letters, words, figures, symbols, trademarks, or any other graphic representation which advertises, calls attention to, or indicates any premise, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever, and painted, printed, or constructed and displayed in any manner whatsoever, for exterior observation.

SIGN AREA: The surface area of any sign is the entire area within a single continuous perimeter, enclosing the extreme limits of lettering, representations, emblems, or other figures, together with any material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed. Only one side of a double-faced sign is used in computing the total area of said double-faced sign, providing that the two surfaces are joined at an angle of no greater than 60 degrees. The area of a sign composed of characters or words attached directly to a large, uniform building wall surface is the smallest rectangle which encloses the whole group of said characters or words.

SIGN, ACCESSORY: Any sign, or any other advertising device that advertises, calls attention to, or indicates the person occupying the lot on which the sign is erected or the business transacted thereon, or advertises the property itself or any part thereof, as for sale or to let,

SIGN, BANNER: Any sign of fabric or similar material that is periodically mounted or affixed to a building or between poles, usually to advertise some special or sale event. (New Eff: 3/1/93)

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Deleted: , and which contains advertising matter pertaining to the business conducted on the premises only.

SIGN, BULLETIN/MENU: Any sign attached to a building, other than a wall sign, for the purpose of advertising a menu, sale event, special of the day, or other information which may change from time to time. (New Eff: 3/1/93)

This is not used as a typical menu-board at a drive-through restaurant. We may need to add a definition of menu-board for drive-through. (DG)

SIGN, DIRECTLY ILLUMINATED: Any sign designed to give forth any artificial light directly or through any transparent or translucent material from a source of light **internal** to such sign.

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SIGN, FLAG (Advertising): Any sign of fabric, hung from a pole in the traditional manner of flags.

Deleted: , for the express purpose of advertising or calling attention to a business. National, state or municipal flags shall not be included under this definition. (New Eff: 3/1/93)

SIGN, FREE-STANDING: Any sign erected or affixed to the land and any and every exterior sign that is not attached to a building.

SIGN, INDIRECTLY ILLUMINATED: A sign illuminated with a light so shielded that no direct rays therefrom are visible elsewhere than on the lot where said illumination occurs. If such shielding is defective, such sign **is** deemed a directly illuminated sign.

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SIGN, NON-ACCESSORY: Any billboard, sign, or other advertising device that does not come within the foregoing definition of any accessory sign.

Branse: Reed problems. We'll have to work on this.

SIGN, PROJECTING: A sign which is attached to the wall or a building and which extends more than fifteen inches from the face of such wall, including a sign erected at the corner of a building.

SIGN, TEMPORARY: A banner, pennant, poster, or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard, or other like materials and intended to be displayed for a limited period of time.

SIGN, WALL: A sign which is attached to the wall or other plane surface of a building, with the face in a plane approximately parallel to such wall or surface, and not extending more than fifteen inches from such wall or surface. **A sign painted directly on a wall is not considered to be a wall sign.**

1-9-18 Need to check with ZO and regulate similar to wall sign.

Transportation, Communication and Utilities

ANTENNA: A device used to receive or transmit telecommunications or radio signals. Such signals include, but **are** not limited to, radio, television, cellular telephone, paging, personal communication services (PCS), and microwave communications. Such antennae are typically mounted on a tower or support on the rooftop of a structure, or on free-standing towers. Examples include panels, microwave dishes, and single poles known as whip antennae. (New Eff: 4/15/97)

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PHOTOVOLTAIC SYSTEM: A photovoltaic system is a power system designed to supply usable solar power by means of photovoltaics. It consists of an arrangement of several components, including solar panels (collectively a solar array) to absorb and convert sunlight into electricity, a solar inverter to change the electric current from DC to AC, as well as mounting, cabling and other electrical accessories to set up a working system. It may also use a solar tracking system to improve the system's overall performance and include an integrated battery solution.

SEWER SYSTEM, COMMUNITY TYPE: A sewer system operated by the Town of Groton and/or a political subdivision or a private central plant approved by the State of Connecticut for sewage treatment consisting of a primary and secondary treatment and the production of a substantially clear effluent. Community type sewer system ~~is not construed to mean a septic tank and leaching field.~~

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TELECOMMUNICATION FACILITY: Towers and/or antennae and accessory structures and equipment used in receiving or transmitting telecommunications or radio signals from a mobile communication source and transmitting those signals to another wireless site, and other communication source or receiver or to a central switching computer which connects the mobile unit with land based telephone lines. (New Eff: 4/15/97)

TELECOMMUNICATION TOWER: The structure designed to support equipment and antennae used to transmit and/or receive telecommunications or radio signals. Examples of such structures include, without limitation, freestanding towers, guy towers, monopoles, and lattice towers. (New Eff: 4/15/97)

TRANSIT STATIONS AND HUBS: Any property, equipment and improvements used, maintained and operated to provide public or private mass transportation for passengers and their luggage, including bus, rail, air, and ferry services, as well as associated passenger parking. May also include related ticketing sales, offices, and accessory retail sales of food and sundries. This definition does not include curbside bus stops, with or without shelters.

For Example . . .

UTILITY INFRASTRUCTURE

Examples may include:

- Electric substations
- Telephone stations
- Water and sewer facilities
- Water and sewer treatment plants

UTILITIES: Utilities include water, sewer, gas, electricity, telephone and television lines and cables.

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UTILITY INFRASTRUCTURE: The structures necessary to deliver services essential to the health, safety, and general welfare of the public, which may be provided by a public or a private entity.

WATER SYSTEM, COMMUNITY TYPE: A system operated by the Town of Groton or a political subdivision or a duly licensed water company which serves at least 25 residents throughout the year.

WIND TURBINE: An energy production device which converts wind energy by means of a rotor to mechanical or electrical energy. A wind generator may also be deemed a windmill.

Vehicle and Heavy Equipment

BUS AND LIMOUSINE GARAGE AND MAINTENANCE: Any lot or land area used for the storage, layover, maintenance or repair of limousines, passenger buses or motor coaches.

CONSTRUCTION, FARM, AND HEAVY EQUIPMENT RENTALS: The use of any building, land area, or portion thereof, for the display and rental or lease of tractors or construction and heavy equipment, including incidental parking and servicing of associated vehicles and equipment.

CONSTRUCTION, FARM, AND HEAVY EQUIPMENT SALES: The use of any building, land area, or portion thereof, for the display and sale of tractors or construction and heavy equipment, including incidental parking and servicing of associated vehicles and equipment.

CONTRACTOR VEHICLE PARKING AND CONSTRUCTION EQUIPMENT STORAGE: The storage of a contractor's construction equipment and the parking of a contractor's commercial vehicle(s), as a primary, industrial use.

FUEL DEALER WITH STORAGE: A business that sells and delivers fuel to residences, institutions and businesses and may also provide ancillary services such as equipment repair, cleaning, and maintenance. May include indoor office, truck storage, and fuel storage facilities.

FUEL DEALER WITHOUT STORAGE: A business that sells and delivers fuel to residences, institutions and businesses and may also provide ancillary services such as equipment repair, cleaning, and maintenance. May include indoor office and storage space for one fuel delivery truck, but no other fuel storage facilities.

FUEL DISPENSING STATION: Any lot or parcel of land or portion thereof used partly or entirely for dispensing flammable liquids, combustible liquids, liquefied flammable gas, or flammable gas into the fuel tanks of vehicles. This does not include bulk storage and wholesale of liquid fuels. May also include, separately or in conjunction, electric fuel stations for electric and hybrid plug-in vehicles.

MARINE CRAFT AND EQUIPMENT SALES AND RENTALS: A marine-oriented retail sales, rental and service facility.

RECREATIONAL VEHICLE: A vehicular type unit with a maximum size of 400 SF, primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or is drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home (self propelled). (Eff: 2/10/95)

VEHICLE: Includes all automobiles, trucks, trailers, vans, camp trailers, house trailers, recreational vehicles, motor homes, motorcycles, or any other wheeled vehicle used on or off

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road and which may be required to be registered by the State of Connecticut Motor Vehicle Department. Devices powered by humans are not considered a vehicle under this definition. (New Eff: 5/1/89) (Updated July 2016)

VEHICLE DEALERS (NEW): The use of any building, land area, or portion thereof, for the display, sale, lease, or service of new automobiles and/or other vehicles.

VEHICLE DEALERS (USED): The use of any building, land area, or portion thereof, for the display, sale, lease, or service of used automobiles and/or other vehicles.

VEHICLE PARTS AND SUPPLIES (NEW): Stores that sell new automobile parts, tires, batteries, and accessories. May also include minor parts installation. Does not include businesses dealing exclusively in used parts.

VEHICLE RENTAL: The use of any building, land area, or portion thereof, for the display and rental of automobiles, panel trucks or vans, trailers, or recreational vehicles, including incidental parking and servicing of vehicles for rent or lease.

VEHICLE REPAIR AND SERVICE, MAJOR: Repair of construction equipment, commercial trucks, agricultural implements, and similar heavy equipment, including automobiles, where major engine and transmission repairs are conducted. Typical uses include automobile and truck repair garages, transmission shops, radiator shops, body and fender shops, equipment service centers, machine shops, and other similar uses where major repair activities are conducted.

VEHICLE REPAIR AND SERVICE, MINOR: The business of minor repairs to any vehicle, including repairs and replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel alignment and balancing, and repair and replacement of shock absorbers, ignition systems, and mufflers.

VEHICLE WASHING FACILITY: A commercial establishment for washing, polishing and/or detailing vehicles.

SECTION 3: ZONING DISTRICTS & MAP

Residential Districts

The Residential Districts are meant to accommodate a variety of residential dwellings at a scale of densities, including one- and two-unit homes and multi-unit homes. These districts are also meant to accommodate agricultural uses, as well as limited additional uses that complement and enhance residential uses, such as parks, libraries, churches, and opportunities for compatible home-based businesses. The Residential Districts include:

Residential (R) Districts

Residential-7 (R-7)

Residential-12 (R-12)

Residential Single-Unit (RS) Districts

Residential Single-Unit-12 (RS-12)

Residential Single-Unit-20 (RS-20)

Rural Residential (RU) Districts

Rural Residential-20 (RU-20)

Rural Residential-40 (RU-40)

Residential Multi-Unit (RM)

Residential (R) Districts, R-7 and R-12

Residential-7 (R-7)

Intent

The R-7 zoning district encompasses the densest residential area that surrounds the mixed-use core of historic Mystic Village. The area is covered by the Mystic River Historic District, and buildings, existing and new, must adhere to historic district design standards. Dimensions in this district are designed to encourage one- and two-unit dwellings that support the denser, historic residential patterns of Mystic Village. The minimum lot size is 7,000 SF.

R-7 Dimensional Standards

Lot Size

Minimum lot area: 7,000 SF

Minimum lot width: 60 ft

Setbacks

Minimum front yard setback: 10 ft

Minimum rear yard setback: 25 ft

Minimum side yard setback: 6 ft

Maximum Building

Height: 30 ft

Lot Coverage: 35%

Lot Area

Minimum Lot Area

Per Dwelling Unit: 4,000 SF

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Residential-12 (R-12)

Intent

The R-12 district encompasses residential neighborhoods throughout the Town, from mid-century ranches and split levels, to modest one- and two-unit homes around Midway Oval, to some of the military housing along the Thames River. What these diverse neighborhoods share in common are generally smaller lots, often walkable and bikeable internally and to nearby resources. Future development and redevelopment in this zoning district will enhance these benefits by encouraging one- and two-unit dwellings in walkable, bikeable, sewerred, residential neighborhoods near or adjacent to mixed-use centers, other retail and services, parks, schools, and major roads and transit. The minimum lot size is 12,000 SF.

R-12 Dimensional Standards

Lot Size

Minimum lot area: 12,000 SF

Minimum lot width: 60 ft

Setbacks

Minimum front yard setback: 25 ft

Minimum rear yard setback: 25 ft

Minimum side yard setback: 12 ft

Porches

One covered porch per dwelling of at least 6 ft and no more than 10 ft in depth is allowed. Such porches may be partially or fully within the front yard setback.

Maximum Building

Height: 30 ft

Coverage: 30%

Lot Area

Minimum Lot Area

Per Dwelling Unit: 6,000 SF

Residential Single Unit (RS) Districts, RS-12 and RS-20

Residential Single-Unit-12 (RS-12)

Intent

The RS-12 district encompasses residential neighborhoods throughout the Town, from portions of the Mystic River Historic District, to mid-century ranches and split levels of the Bel-Aire and other neighborhoods, to newer subdivisions. What these diverse neighborhoods share in common are generally smaller lots, often walkable and bikeable internally and to nearby resources. Future development and redevelopment in this zoning district will enhance these benefits by encouraging one-unit dwellings in walkable, bikeable, sewered, residential neighborhoods near or adjacent to mixed-use centers, other retail and services, parks, schools, and major roads and transit. The minimum lot size is 12,000 SF.

RS-12 Dimensional Standards

Lot Size

Minimum lot area: 12,000 SF

Minimum lot width: 60 ft

Setbacks

Minimum front yard setback: 25 ft

Minimum rear yard setback: 25 ft

Minimum side yard setback: 12 ft

Porches

One covered porch of at least 6 ft and no more than 10 ft in depth is allowed. Such porches may be partially or fully within the front yard setback.

Maximum Building

Height: 30 ft

Coverage: 30%

Lot Area

Minimum Lot Area

Per Dwelling Unit: 12,000 SF

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Residential Single-Unit -20 (RS-20)

Intent

The RS-20 district is found throughout the Town, and is designed to encourage one-unit dwellings in more traditional suburban settings. Open Space Subdivisions are encouraged in this district, as much of the remaining undeveloped land within the district is considered wetlands. To date, use of the Open Space Subdivision provisions has been successful in clustering new subdivision development in order to preserve neighboring environmentally sensitive lands, and this trend should continue. When adjacent to an R-12 or RS-12 district, new development in the RS-20 district should strive to mirror the connectivity of the R-12 or RS-12 district, extending existing streets, sidewalks, and bicycle networks, to expand options and livability for residents. The minimum lot size is 20,000 SF.

RS-20 Dimensional Standards

Lot Size

Minimum lot area: 20,000 SF

Minimum lot width: 100 ft

Setbacks

Minimum front yard setback: 30 ft

Minimum rear yard setback: 30 ft

Minimum side yard setback: 20 ft

Porches

One covered porch of at least 6 ft and no more than 10 ft in depth is allowed. Such porches may be partially or fully within the front yard setback.

Maximum Building

Height: 30 ft

Coverage: 25%

Lot Area

Minimum Lot Area Per Dwelling Unit: 20,000 SF

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Rural Residential (RU) Districts, RU-20 and RU-40

Rural Residential -20 (RU-20)

Intent

The RU-20 district is found throughout the Town, and is designed to encourage one- and two-unit dwellings in more traditional suburban settings. Open Space Subdivisions are encouraged in this district, as much of the remaining undeveloped land within the district is considered wetlands. To date, use of the Open Space Subdivision provisions has been successful in clustering new subdivision development in order to preserve neighboring environmentally sensitive lands, and this trend should continue. When adjacent to an R-12, RS-12 or RS-20 district, new development in the RU-20 district should strive to mirror the connectivity of the adjacent district, extending existing streets, sidewalks, and bicycle networks, to expand options and livability for residents. The minimum lot size is 20,000 SF.

RU-20 Dimensional Standards

Lot Size

Minimum lot area: 20,000 SF

Minimum lot width: 100 ft

Setbacks

Minimum front yard setback: 30 ft

Minimum rear yard setback: 30 ft

Minimum side yard setback: 20 ft

Porches

One covered or uncovered porch of at least 6 ft in depth is allowed within the front setback, up to 10 ft in depth. In an Open Space Subdivision, a porch **must not** be located less than 10 ft from the front lot line.

Maximum Building

Height: 30 ft

Coverage: 25%

Lot Area

Minimum Lot Area Per Dwelling Unit: 15,000 SF

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Rural Residential-40 (RU-40)

Intent

The RU-40 district is located largely to the north of I-95, and covers the majority of remaining developable land in the Town. This district is meant to accommodate one-unit dwellings, agriculture and related activities, and other lower-density uses. As with the RS-20 and RU-20 districts, much of the undeveloped RU-40 district is considered wetlands, so Open Space Subdivisions will continue to be a useful tool in protecting sensitive environmental areas. New developments adjacent to existing Open Space Subdivisions should strive to connect open spaces in order to maintain a network of open space and habitat, rather than isolated pockets. The minimum lot size is 40,000 SF. The RU-40 district is the same as the former RU-40 district plus the former RU-80 district.

RU-40 Dimensional Standards

Lot Size

Minimum lot area: 40,000 SF

Minimum lot width: 150 ft

Setbacks

Minimum front yard setback: 40 ft

Minimum rear yard setback: 30 ft

Minimum side yard setback: 25 ft

Porches

One covered or uncovered porch of at least 6 ft in depth is allowed within the front setback, up to 10 ft in depth. In an open space subdivision, a porch **must not** be located less than 15 ft from the front lot line.

Maximum Building

Height: 30 ft

Coverage, Residential: 20%

Coverage, Non-Residential: 30%

Lot Area

Minimum Lot Area Per Dwelling Unit: 30,000 SF

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Residential Multi-Unit (RM)

Intent

The RM district is scattered, with most sites on the western half of the Town. The vast majority of RM parcels are already built out with existing multi-unit homes, ranging from side-by-side town houses to stacked garden apartments, and including both rentals and ownership condominiums. The RM district is meant to encourage and guide the development of multi-unit projects within the Town where necessary utilities and transportation improvements are in place. It is designed to accommodate all allowable residential-only developments of three housing units or more.

RM Dimensional Standards

Commentary: Staff would like to take a closer look at standards for multi-unit dwellings.

Lot Size

Minimum lot area:

Minimum lot width:

Setbacks

Minimum front yard setback:

Minimum rear yard setback:

Minimum side yard setback:

Maximum Building

Height:

Coverage:

Lot Area

Minimum Lot Area Per Dwelling Unit:

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Residential Performance Standards

Commentary from the Town: Maybe we use this section for other standards such as buildable lot area, grade differences between lots, access requirements, easement areas, etc. Needs more discussion.

Residential Multi-Unit (RM) Standards

Staff has not reviewed any of these standards, and may work with HW to change them significantly. Staff has requested the opportunity to work on a new draft before this is reviewed by the ZC.

DRAFT

Commercial & Mixed-Use Districts

The Commercial and Mixed-Use Districts are meant to accommodate a very wide variety of uses at different scales, including offices, stores, restaurants, entertainment, schools, recreation, health care, and more, as well as all types of residential housing. These districts are designed to accommodate these uses, while still allowing for the changes in commercial district character desired in the Town's Plan of Conservation and Development, including smooth transitions from higher intensity to lower intensity uses. The mixed-use districts allow for multi-Unit housing mixed with retail, services, offices, and other such uses in a walkable, well-connected environment. The Commercial & Mixed-Use Districts include:

Commercial, Regional (CR)

Commercial, Neighborhood (CN)

Working Waterfront (WW)

Mystic Downtown District (MDD)

Mixed-Use Town Center (MTC)

Mixed-Use Village Center (MVC)

Commercial, Regional (CR)

Intent

The CR district is meant to accommodate heavier commercial uses such as auto-oriented operations, and is aligned primarily along the Rte 184 corridor. Residential uses are restricted to multi-Unit, which may serve as a buffer or transition to any neighboring residential zoning districts. This district incorporates the former CB-15 and CA-40 districts.

CR Dimensional Standards

Lot Size

Minimum lot area: 15,000 SF

Minimum lot width: 100 ft

Setbacks

Minimum front yard setback: 50 ft

Minimum rear yard setback: 30 ft

Minimum side yard setback: 30 ft

Maximum Building

Height: 6 stories/75 ft

Coverage: 30%

(Building height can be up to 6 stories or 75 ft, whichever is less. Any building exceeding 40 ft in height **must** be set back from its front, side and rear lot lines an additional one foot for each foot in height over 40 feet.)

Lot Area

Minimum Lot Area Per Dwelling Unit: 2,700 SF

Commentary from the Town: Discuss further if we want to have any residential in this zone or support multi-Unit residential in more appropriate zones.

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Commercial, Neighborhood (CN)

Intent

The CN district is meant to accommodate lighter, neighborhood-serving retail in nodes or gateways that can serve as a smooth transition between commercial and residential uses. It may include one-unit dwellings, though two-unit and multi-unit dwellings are preferred, in order to support commercial uses and serve as a buffer to neighboring residential districts. The district is primarily found along or near the Rte 1 corridor. High-quality, human scale design, with an emphasis on pedestrian connections and green space will be a critical component of any development in this district, as it is meant to play a transitional role between commercial and residential uses. This district incorporates the former CA-12 and OMF districts with commercial uses, with the exception of the former CA-12 and OMF districts in the Poquonock Bridge area which are now zoned MVC.

CN Dimensional Standards

Lot Size

Minimum lot area: 12,000 SF

Minimum lot width: 80 ft

Setbacks

Minimum front yard setback: 30 ft

Minimum rear yard setback: 30 ft

Minimum side yard setback: 12 ft

Maximum Building

Height: 3 stories/40 ft

Coverage: 30%

Lot Area

Minimum Lot Area Per Dwelling Unit: 7,500 SF

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Working Waterfront (WW)

Intent

The WW district is restricted to marine-dependent commercial uses and limited marine-related or marine-dependant light industrial uses. It is a very small district, confined on Willow Point peninsula, and among the few in Town where such uses are allowed. It is critical to maintain a space for these uses as they play an important role in the Town's economy and history. New residential development and non-marine commercial and industrial uses are therefore prohibited in this district. This district is surrounded by a residential neighborhood, and the only access road into the district crosses through that neighborhood. Therefore, there must continue to be a balance between ensuring access and activity in the WW to maintain a healthy business climate, and any negative impacts on the neighboring homes. This district was formerly called the WF district.

WW Dimensional Standards

Lot Size

Minimum lot area: 20,000 SF

Minimum lot width: 100 ft

Setbacks

Minimum front yard setback: 40 ft

Minimum rear yard setback: 30 ft

Minimum side yard setback: 20 ft

Maximum Building

Height: 30 ft (or 45' for sheds used for construction, repair or storage of boats)

Coverage: 65%

Lot Area

Minimum Lot Area Per Dwelling Unit: N/A

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Mixed-Use Districts

The purpose of the Town's three commercial mixed-use districts (MDD, MTC and MVC) is to:

1. Allow a mixture of complimentary land uses that may include housing, retail, offices, commercial services, and civic uses;
2. To create economic and social vitality and to encourage the linking of trips;
3. Develop commercial and mixed-use areas that are safe, comfortable, and attractive to pedestrians;
4. Reinforce streets as public places that encourage pedestrian and bicycle travel;
5. Provide roadway and pedestrian connections to residential areas;
6. Provide transitions between high traffic streets and neighborhoods;
7. Encourage efficient land use by facilitating compact, higher-density development and minimizing the amount of land that is needed for surface parking;
8. Facilitate development that supports public transit, where applicable;
9. Provide appropriate locations and design standards for automobile- and truck-dependent uses; and
10. Maintain mobility along traffic corridors and highways.

Mystic Downtown District (MDD)

Intent

Commentary: The dimensional standards listed for the MDD below are the same as the current standards for the WDD. HW and Staff have not analyzed them in the context of the current district. This is an area that will need finer grained analysis as many of the existing standards do not work with the developed form of this district and the density allowances.

Mystic is famed for its traditional coastal New England character and is one of the biggest tourist destinations in the state. It is an important retail district in Groton with small, locally-owned shops along a main street and high density residential within historic structures. The MDD district is designed to maintain and enhance this special village by establishing specific guidelines to ensure a mix of compatible uses, concentrated development, pedestrian friendly circulation, shared parking and public spaces, and the continuation of historic styles. The area is also covered by the Mystic River Historic District, and buildings, existing and new, must adhere to historic district design standards. This district was formerly called the Waterfront Design district or WDD.

MDD Dimensional Standards

Lot Size

Minimum lot area: 8,000 SF

Minimum lot width: 60 ft

Setbacks

Minimum front yard setback: 10 ft

Minimum rear yard setback: 10 ft

Minimum side yard setback: 10 ft

Maximum Building

Height: 40 ft

Coverage: 65%

(Building height is a maximum of 25 ft, but can be increased to 40 ft. Any building exceeding 25 feet in height **must** be set back from its front, side and rear lot lines an additional one foot for each foot in height over 25 feet.)

Lot Area

Minimum Lot Area Per Dwelling Unit: 4,000 SF

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Mixed-Use Town Center (MTC)

Intent

Commentary: The MTC district is being developed for the “downtown” area of Groton along Route 1, currently a dated strip-style retail corridor that is isolated from other land uses in Town. However, the district may be considered for other areas of town, including at the intersection of Routes 117 and 184.

This district is meant to encourage the redevelopment of existing strip malls into mixed-use developments, allowing Groton to meet regional market demand for such development. The MTC district may accommodate a mix of uses as a destination for residents across and outside the Town, ultimately serving as a true Town Center and gathering spot with its own clear identity. The district is designed to be pedestrian friendly, but still able to accommodate significant vehicular traffic. Development here should be oriented to existing or planned streets with pedestrian amenities, such as extra-wide sidewalks, street tree cutouts, pedestrian-scale lighting, and street furnishings, as well as transit stops. The MTC district is meant to provide flexibility in the siting and design of new developments and redevelopment to anticipate changes in the marketplace. Residential uses are restricted to mixed-use with ground floor retail or services or multi-unit dwellings. The MTC allows for the densest development in Town, with flexible design standards that will allow for creative development approaches to implement the pedestrian friendly vision for the district. Creative placemaking is a critical component of the success of the MTC, and design standards emphasize public plazas, small parks, sidewalks, and spaces for public art. This district was formerly called the Downtown Design district, or DDD.

MTC Dimensional Standards

Lot Size

Minimum lot area

For lots developed individually: 40,000 SF *Commentary: This could go smaller*

For two or more lots developed together: None, if the total is at least 40,000 SF

Minimum lot width

For lots developed individually: 100 ft

For two or more lots developed together: None, if the total is at least 100 ft

Setbacks

Minimum and Maximum front yard setbacks

Along Route 1: 20 ft Minimum, 35 ft Maximum (unless a publicly accessible landscaped area is placed between the front lot line and the building) *Commentary: Need to discuss terminology to use for landscaped areas and how this would impact Section 7.4. Currently in the DDD, a minimum 20 foot landscaped front set back is required. Here, this could be increased if the landscaped area is publicly accessible (e.g. plaza, benches, etc.).*

Along all roads that abut a residential district: 30 ft

Along all other roads internal to the district: 0 ft Minimum, 15 ft Maximum (unless a publicly accessible landscaped area is placed between the front lot line and the building)

Minimum rear yard setbacks

For all lots with rear yards that abut a non-MTC district: 30 ft

For all other lots in the district: 0 ft

Minimum side yard setbacks

For all lots with side yards that abut a non-MTC district: 30 ft

For all other lots with portions of buildings sharing a party wall: 0 ft

For all other lots without portions of buildings sharing a party wall, up to 40 ft in height: 10 ft

For all other lots without portions of buildings sharing a party wall, over 40 ft in height: 20 ft

Maximum Building**Height**

Along Route 1: 60 ft

For all other lots: 45 ft

Coverage

For lots that are part of a multiple-lot development: 100%

(So long as all required mechanical, circulation, parking, landscaping, delivery, waste management, and other outdoor facilities per this zoning district and the Building Code are accommodated in the overall development.)

For lots developed individually: 85%

Commentary from the Town: Typically we require merging of the lots in large development so that setbacks work.

Lot Area

Minimum Lot Area Per Dwelling Unit: None

Commentary from the Town: Need to discuss if this works with where we want residential in this district. No requirements may be OK for MTC Route 1 but not MTC Route 184.

Publicly Accessible Landscaped Areas

Minimum amount of publicly accessible landscaped areas per development: 15%. At least 10% must be contiguous. Whenever possible, this contiguous area will be designed to abut and visually and physically integrate with the required contiguous publicly accessible landscaped areas of any neighboring developments in the MTC district.

Commentary from the Town: Needs additional discussion. Maybe we call it public/common space and not open space. Provide standards for public plazas, greens etc.

Commentary: "Publicly Accessible Landscaped Areas" used here as a place holder to differentiate it from "open space." Same term used below in the MVC district.

Mixed-Use Village Center (MVC)

Intent

Commentary: The MVC district is being developed for the Poquonnock Bridge special focus area identified in the Town's Plan of Conservation and Development. However, the district may be considered for other areas of town, including around Old Mystic.

This district intends to provide spaces to accommodate demand for mixed-use development, much like the MTC, but on a smaller, "village" scale with neighborhood-serving retail and services, and places to accommodate artisan production. The MVC is meant to build upon existing character, preserving and enhancing historic or otherwise important buildings, and encouraging context sensitive infill development. The district is designed to be pedestrian friendly, but still able to accommodate significant vehicular traffic along major routes. Development here should be oriented to existing or planned streets with pedestrian amenities, such as extra-wide sidewalks, street tree cutouts, pedestrian-scale lighting, and street furnishings, as well as transit stops, where applicable. Residential uses are restricted to mixed-use with ground floor retail or services, multi-unit dwellings, or live-work spaces for "makers" and artisans. The MVC has more proscriptive design standards than the MTC to ensure that redevelopment and infill respect the history and character of the sites. Creative placemaking is also a critical component of the MVC, and design standards emphasize sidewalks as well as smaller public plazas, parks, and spaces for public art.

MVC Dimensional Standards

Commentary: Still being reviewed and worked on with staff and HW

Lot Size

Minimum lot area

For lots developed individually: 10,000 SF *Commentary: This could be smaller.*

For two or more lots developed together: None, if the total is at least 10,000 SF

Minimum lot width

For lots developed individually: 80 ft

For two or more lots developed together: None, if the total is at least 80 ft

Setbacks

Minimum and Maximum front yard setbacks

Along any arterial road: 20 ft Minimum, 35 ft Maximum (unless a publicly accessible landscaped area is placed between the front lot line and the building)

Along all roads that abut a residential district: 30 ft

Along all other roads internal to the district: 10 ft Minimum, 25 ft Maximum (unless a publicly accessible landscaped area is placed between the front lot line and the building)

Minimum rear yard setbacks

For all lots with rear yards that abut a non-MVC district: 30 ft

For all other lots in the district: 20 ft

Minimum side yard setbacks

For all lots with side yards that abut a non-MTC district: 30 ft

Section 3: Zoning Districts & Map -pg 58

For all other lots in the district with portions of buildings sharing a party wall: 0 ft
For all other lots in the district without portions of buildings sharing a party wall: 10 ft

Maximum Building

Height: 35 ft

Coverage

For lots that are part of a multiple-lot development: 100%

(So long as all required mechanical, circulation, parking, landscaping, delivery, waste management, and other outdoor facilities per this zoning district and the Building Code are accommodated in the overall development.)

For lots developed individually: 80%

Lot Area

Minimum Lot Area Per Dwelling Unit: None

Publicly Accessible Landscaped Areas

Minimum amount of publicly accessible landscaped areas per development: 20% (At least 15% must be contiguous. Whenever possible, this contiguous area will be designed to abut and visually and physically integrate with the required publicly accessible landscaped areas of any neighboring developments in the MVC district.)

Industrial Districts

The Industrial Districts are meant primarily to accommodate production, manufacturing, and other related industrial uses. Most residential uses are prohibited in these districts, but many commercial uses are allowed, particularly in the Mixed-Use Industrial District. The Industrial Districts include:

Industrial, General (IG)

Industrial, Mixed-Use (IM)

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Industrial, General (IG)

The IG district is meant to accommodate more intensive, large footprint industrial uses that are generally incompatible with residential neighborhoods and typically benefit from locations accessible to highway, rail, air and water access points. It also includes the Groton-New London Airport.

IG Dimensional Standards

Lot Size

Minimum lot area: 40,000 SF

Minimum lot width: 150 ft

Setbacks

Minimum front yard setback: 40 ft

Minimum rear yard setback: 30 ft

Minimum side yard setback: 30 ft

Maximum Building

Height: 40 ft

Coverage: 40%

Or 50% if the primary use (80%+) of the building floor area is for warehousing, storage, or distribution.

TO INSERT: DIMENSIONAL DRAWING

Industrial, Mixed-Use (IM)

The IM district is meant to accommodate low to moderate impact industrial and light industrial uses which may benefit from proximity to mixed use residential neighborhoods and which are located adjacent to highway access points. A mix of industrial and commercial uses is also allowed in this district, recognizing the market demand for industrial business spaces that are not isolated from complementary commercial businesses and the daily commercial amenities desired by employees. This district allows not only customary research and development, light manufacturing, office, corporate and related uses but also amenities such as hotels, restaurants, limited retail, recreation businesses and more. However, these commercial uses may only be part of a mixed-use development that also includes light industrial uses. Standalone commercial development is not allowed in this district. This mix of uses is designed to be attractive to modern manufacturers and their employees.

IL Dimensional Standards

Lot Size

Minimum lot area: 30,000 SF

Minimum lot width: 100 ft

Setbacks

Minimum front yard setback: 30 ft

Minimum rear yard setback: 30 ft

Minimum side yard setback: 25 ft

Maximum Building

Height: 40 ft or 6 stories/75 ft

(Building height can be up to 40 ft for industrial buildings. Mixed-use industrial buildings/developments may go up to 6 stories or 75 ft, whichever is less. Any building exceeding 40 ft in height **must** be set back from its front, side and rear lot lines an additional one foot for each foot in height over 40 ft.)

Coverage: 40%

Or 50% if the primary use (80%+) of the building floor area is for warehousing, storage, or distribution.

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Green Districts

The two Green Districts are meant to accommodate permanently protected park and conservation lands, whether publicly owned by a federal, state or town agency, or privately owned by a land trust or other such non-profit, through easements from conservation developments, or any other such deed restriction. Most uses are prohibited in these districts, but some limited building is allowed, supportive of the primary uses of conservation or recreation. However, while certain uses are allowed under these zoning districts, such zoning will not supersede any use restrictions stipulated in state or federal law, conservation easements, or any other legally binding lien or condition in a property's deed. The Green Districts include:

Green, Recreation (GR)

Green, Conservation (GC)

Green, Recreation (GR)

The GR district is meant to accommodate active recreation and limited supporting operations, such as playgrounds, ball fields, interpretive or nature centers, community gardens, outdoor amphitheaters, and perhaps small scale refreshment vending. Lots in this district typically have an ownership structure or deed restriction that provides for long-term preservation of public recreational uses.

GR Dimensional Standards

Commentary: These need review by staff and discussion with Commission.

Setbacks

For any structure, whether a building, play equipment, outdoor sports field or facility, amphitheater, etc.

Minimum setback from the borders of any non-OSA zoning district: 30 ft

Maximum Building

For any enclosed and/or roofed building.

Height: 25 ft or 2 stories

Coverage: 5% of the total land area of any parcel or parcels making up a single park.

Green, Conservation (GC)

The GC district is meant to accommodate conservation land for sensitive environmental resources and limited recreation opportunities, such as hiking, walking trails, boating, bird watching, and the like. All parcels in this district must have an ownership structure or deed restriction that provides for long-term preservation of open space. Public access to these parcels may be prohibited or limited, in order to protect their natural resources.

GC Dimensional Standards

Commentary: These need review by staff and discussion with Commission.

Setbacks

For any structure, whether a building, stable, supply shed, etc.

Minimum setback from the borders of any non-OSA zoning district: 30 ft

Maximum Building

For any enclosed and/or roofed building.

Height: 15 ft or 1 story

Coverage: 3% of the total land area of any parcel or parcels making up a single park.

Zoning Map

The boundaries of these districts are hereby established as shown on the map entitled Zoning, Town of Groton, Connecticut, and amendments thereto, which map and amendments are hereby declared to be part of these regulations.

Commentary: Explore ways to include not just the description of the map, but the map itself here, without having to make both a text amendment and a map amendment every time something changes in either. This could be as simple as having a hyperlink to the map in the online version of this document. HW will also aim to have a series of maps that highlight each zoning district and show where different uses are generally allowed.

Extent of Districts

It is the intent of these regulations that all areas of the Town of Groton, including all land and land under water areas, be included in the zoning districts established by these regulations.

District Boundaries

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts shown on the zoning map, the following rules apply:

- Where district boundaries are within the right-of-way of a street, highway, railroad, brook, stream, or easement, the center lines of such rights-of-way **are** construed to be such district boundaries.
- Where district boundaries are so indicated that they are approximately parallel to the right-of-way lines of streets, such district boundaries **are** construed as being parallel thereto and at such distance therefrom as indicated on the zoning map.
- Where district boundaries are so indicated that they are approximately perpendicular to the center line or right-of-way lines of streets, such lines **are** be construed as being perpendicular thereto.
- Where district boundaries are indicated as approximately following lot lines of record at the time of adoption of these regulations, such lot lines **are** be construed to be such boundaries. Where a question arises and no dimensions or official lot lines of record are shown, then the district boundaries **must** be determined by the Zoning Official. An appeal may be taken to the Zoning Board of Appeals.
- Where district boundaries are dimensioned on the zoning map, they **are** measured from the street or right-of-way line.

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Lot Lying in More than One District

In the case of a lot lying in more than one district, **the following encroachment is allowed:**

- **The uses as noted in the Table of Permitted Uses (Table X.X) of the less restrictive district (e.g. a commercial district is less restrictive than residential district) may be applied for a distance of not over 100 feet into a more restrictive district.**
- **The development standards for this 100-foot area must comply with the standards of the less restrictive district for the proposed use.**

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- **The** lot **must have** frontage on a street in the less restrictive district and access to the lot will be from that street having frontage in the less restrictive area of the lot.

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Storage of Unregistered Vehicles and/or Waste Material

Commentary: Minor Edits. Still needs Staff review with Code Enforcement.

- Temporary storage of unregistered vehicles **is** allowed in residential zones as follows:

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In RS and R zones, one unregistered vehicle may be stored outside. In RU zones, two unregistered vehicles may be stored outside. Storage of these unregistered vehicles must be in the side or rear yard and **must** not be visible from the street.

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All such storage must be temporary and such vehicles must be capable of and intended to be placed in running condition and registered in six (6) months time.

- In CN, CR, IM and IG zones, storage of unregistered vehicles **is** an accessory use to businesses having the appropriate Department of Motor Vehicles license only.

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- Except as provided above, no waste or scrap material, debris, motor vehicles which are partially or wholly dismantled, motor vehicle parts, abandoned machinery, junk or similar unsightly material **must** be stored or allowed to accumulate in any open space or outside a completely enclosed building on any lot in any district other than as may be permitted in an industrial district. This provision **does** not apply to the temporary storage of waste material from a construction operation being legally executed on the same lot.

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SECTION 4: DISTRICT REGULATIONS

Items highlighted in blue below include references that will need to be updated in the final document and items that have not yet been reviewed by the Town.

Land, water, and buildings may be used only for the purposes set forth in the Table of Permitted Uses and only within those districts specified in the said table of permitted uses.

As used in the table, the following symbols mean:

- P = Permitted
- C = Permitted with Conditions (Location of conditions noted in the “Conditions” column.)
- SP = Permitted with Special Permit (These uses must seek a Special Permit AND comply with the associated conditions noted in the “Conditions” column.)
- A = Permitted only as an accessory use/Permitted only as an accessory use with conditions
- A/C = Permitted only as an accessory use with conditions
- A/SP = Permitted only as an accessory use with a special permit
- X = Prohibited

Key: Zoning Districts

RS = Residential, Single Family (RS-12 and RS-20)	CR = Commercial, Regional	IM = Industrial, Mixed-Use
R = Residential (R-7 and R-12)	WW = Working Waterfront	IG = Industrial, General
RU = Rural Residential (RU-20 and RU-40)	MDD = Mystic Downtown District	GR = Green Recreation Land*
RMF = Residential Multi-Family	MTC = Mixed-Use Town Center	GC = Green Conservation Land*
CN = Commercial, Neighborhood	MVC = Mixed-Use Village Center	

*Note on Green Districts: while certain uses are allowed under these zoning districts, such zoning will not supersede any use restrictions stipulated in state or federal law, conservation easements, or any other legally binding lien or condition in a property’s deed.

Parking Standards

The column below marked “Pkng” contains numbers that correspond to the parking standards for various uses. Please see the parking standards in Sec. X.XX.

Water Resource Protection District (WRPD) Restrictions and Conditions

The WRPD is an overlay district designed to protect the Town’s drinking water supply. Any uses marked in the WRPD column below must meet the requirements of the underlying zoning as well as any specific allowances, conditions or restrictions for the WRPD. ALL development, regardless of use and underlying zoning, within the WRPD must meet the general performance standards described in Sections X.XX through X.XX. Where there may be conflicts between provisions of the WRPD and other provisions of this ordinance, the stricter of the two applies.

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- X = Prohibited
- W = Permitted with Conditions as described in **Sec. X.XX**. This may include Special Permits or a requirement to use public sewers. This may also include uses that, while not categorically restricted, have certain related **activities** that may be prohibited, require a sewer connection, or have additional conditions.
- _ = If left blank, the WRPD does not have any additional conditions or prohibitions on the use beyond the requirements to meet the General Performance Standards (X.XX through X.XX) of the WRPD and those of the underlying zoning district.
- The following activities are **prohibited** in the WRPD across any and all use categories:
 - Any industrial, commercial, or other use in which the manufacture, use, storage, transport, process or disposal of hazardous materials or waste is a principal activity
 - Discharge to the ground of non-sanitary wastewater including industrial and commercial process wastewater, unless specifically exempt by these regulations.
 - Stockpiling and disposal of snow or ice containing sodium chloride, calcium chloride, chemically treated abrasives or other chemicals used for the removal of snow or ice on roads which has been removed from highways and streets located outside of the WRPD

Interpretation

In the interpretation of the following Use Table, where a use is not specifically listed in the table, its status under this section ~~is~~ determined by the Zoning Official, by reference to that listed use, if any, which is so like the use in question in purpose, function, character, and effect as to be substantially similar to said listed use.

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Organization of Uses

To facilitate use of the table, all uses are organized by the following major categories:

- AGRICULTURAL, ANIMAL & NATURAL RESOURCES
- CULTURAL, RECREATION & ENTERTAINMENT
- DAY CARE
- HEALTH FACILITIES
- INDUSTRIAL
- RESIDENTIAL
- RESTAURANT
- RETAIL
- SERVICES
- SIGNS
- TRANSPORTATION, COMMUNICATION & UTILITIES
- VEHICLE & HEAVY EQUIPMENT

X.X TABLE OF PERMITTED USES

<div> <div> P = Permitted C = Permitted with Conditions SP = Permitted with Special Permit A = Permitted only as an accessory use </div> <div> W = Additional conditions or restrictions under the WRPD Blank = Meet General Performance Standards for WRPD X = Prohibited A/C or A/SP = Permitted only as an accessory use with conditions or a special permit </div> </div>																	
	RESIDENTIAL DISTRICTS				COMMERCIAL/MIXED-USE DISTRICTS						INDUSTRIAL DISTRICTS		GREEN DISTRICTS		WRPD Overlay	Pkng	Conditions
PERMITTED USES	RS	R	RU	RMF	CN	CR	MDD	WW	MTC	MVC	IM	IG	GR	GC			
AGRICULTURAL, ANIMAL & NATURAL RESOURCES																	
Aquaculture	X	X	C	X	X	X	X	C	X	X	C	C	X	X	?	6	-
Agriculture, Commercial	C	C	C	C	C	C	X	X	X	C	C	C	X	X	W	-	-
Agriculture, Home (Hens and Plants)	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	X	A/C	A/C	X	X	X	W	-	-
Agriculture, Home (Livestock)	A/C	X	A/C	X	X	X	X	X	X	A/C	A/C	X	X	X	W	-	-
Community Garden	C	C	C	C	C	C	X	X	X	C	C	C	C	X		-	-
Kennel, Commercial	X	X	SP	X	X	X	X	X	X	X	SP	SP	X	X	W	10	-
Nurseries and Greenhouses, Commercial	X	X	SP	X	C	C	X	X	X	SP	C	C	X	X	W	-	-
Pet Grooming	X	X	C	X	C	C	C	X	C	C	C	X	X	X	W	1	-
Riding or Boarding Stable	X	X	SP	X	X	X	X	X	X	X	SP	SP	X	X	W	-	-
Veterinary Services	X	X	C	X	C	C	C	X	C	C	C	C	X	X	W	1	-

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	RESIDENTIAL DISTRICTS				COMMERCIAL/MIXED-USE DISTRICTS						INDUSTRIAL DISTRICTS		GREEN DISTRICTS		WRPD Overlay	Pkng	Conditions																
PERMITTED USES	RS	R	RU	RMF	CN	CR	MDD	WW	MTC	MVC	IM	IG	GR	GC																			
CULTURAL, RECREATION & ENTERTAINMENT																																	
Art Gallery or Museum	X	X	SP	X	P	P	P	X	P	P	P	X	A	A		9	-																
Campground	X	X	SP	X	X	X	X	X	X	X	X	X	X	X		-	-																
Club, Lodge or Association	SP	SP	SP	C	C	C	C	SP	C	C	SP	X	X	X		8	-																
Commercial Recreation and Fitness, Indoor, Small Scale	X	X	X	C	P	P	P	X	P	P	C	C	X	X		14	-																
Commercial Recreation and Fitness, Indoor, Large Scale	X	X	X	A	P	P	X	X	P	P	C	C	X	X		14	-																
Commercial Recreation, Outdoor	X	X	SP	X	SP	SP	SP	X	SP	SP	SP	SP	SP	X		14	-																
Entertainment or Sports Facilities	X	X	SP	X	X	SP	X	X	SP	X	SP	SP	SP	X		8	-																
Exhibition Hall	X	X	X	X	P	P	P	X	P	P	P	P	X	X		8																	
Golf Course	X	X	SP	X	X	X	X	X	X	X	SP	SP	X	X		14	-																
Library	P	P	P	P	P	P	P	X	P	P	X	X	X	X		9																	

P = Permitted
C = Permitted with Conditions
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A = Permitted only as an accessory use

W = Additional conditions or restrictions under the WRPD
Blank = Meet General Performance Standards for WRPD
X = Prohibited
A/C or A/SP = Permitted only as an accessory use with conditions or a special permit

	RESIDENTIAL DISTRICTS				COMMERCIAL/MIXED-USE DISTRICTS						INDUSTRIAL DISTRICTS		GREEN DISTRICTS		WRPD Overlay	Pkng	Conditions
	RS	R	RU	RMF	CN	CR	MDD	WW	MTC	MVC	IM	IG	GR	GC			
PERMITTED USES (CULTURAL, RECREATION & ENTERTAINMENT, cont.)																	
Marina or Yacht Club	C	C	C	X	X	X	P	P	X	X	X	P	X	X		8	-
Public Recreation, Indoor or Outdoor	C	C	C	C	C	C	C	C	C	C	C	C	C	C		-	-
Temporary Events	C	C	C	C	C	C	C	X	C	C	C	C	C	C		8	7.1-3
Theater or Cinema	X	X	X	X	C	C	C	X	C	C	C	X	C	X		8	-
DAYCARE																	
Adult	SP	SP	SP	SP	C	C	C	X	C	C	C	X	X	X		10	-
Child	SP	SP	SP	SP	C	C	C	X	C	C	C	X	X	X		10	-
Family	P	P	P	P	P	P	P	A	P	P	A	A	X	X		10	
Group	C	C	C	C	C	C	C	X	C	C	C	X	X	X		10	-
HEALTH FACILITIES																	
Hospital/Emergency Treatment Center	X	X	SP	X	SP	SP	SP	X	SP	SP	SP	X	X	X	W	15	-

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	RESIDENTIAL DISTRICTS				COMMERCIAL/MIXED-USE DISTRICTS						INDUSTRIAL DISTRICTS		GREEN DISTRICTS		WRPD Overlay	Pkng	Conditions
PERMITTED USES (HEALTH FACILITIES, cont.)	RS	R	RU	RMF	CN	CR	MDD	WW	MTC	MVC	IM	IG	GR	GC			
Medical/Health Care Professional Office/Clinic	X	X	SP	X	P	P	P	X	P	P	P	X	X	X	W	5	-
INDUSTRIAL																	
Alcoholic Beverage Production, Sm Scale	X	X	SP	X	P	P	C	X	P	P	P	P	X	X	W	1	-
Alcoholic Beverage Production, Lg Scale	X	X	X	X	SP	P	X	X	SP	X	P	P	X	X	W	6	-
Artisan & Craft Workshop	X	X	C	X	P	P	P	P	P	P	P	P	X	X		6	-
Flex Space	X	X	X	X	X	X	X	X	X	X	P	P	X	X	W	6	
Food and Non-Alcoholic Beverage Production, Major	X	X	X	X	X	X	X	X	X	X	P	P	X	X		6	
Food and Non-Alcoholic Beverage Production, Minor	X	X	X	X	P	P	C	X	C	C	P	P	X	X		1	-
Heavy Industrial	X	X	X	X	X	X	X	X	X	X	X	P	X	X	W	6	-
Laundry, Commercial	X	X	X	X	X	P	X	X	X	X	P	P	X	X	W	6	

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	RESIDENTIAL DISTRICTS				COMMERCIAL/MIXED-USE DISTRICTS						INDUSTRIAL DISTRICTS		GREEN DISTRICTS		WRPD Overlay	Pkng	Conditions
PERMITTED USES (INDUSTRIAL, cont.)	RS	R	RU	RMF	CN	CR	MDD	WW	MTC	MVC	IM	IG	GR	GC			
Light Industrial	X	X	X	X	X	X	X	P	X	X	P	P	X	X	W	6	
Outdoor Storage Yard, Accessory	X	X	X	X	A/SP	A/SP	X	A/SP	A/SP	A/SP	A	A	X	X	W	6	
Outdoor Storage Yard, Principal	X	X	X	X	X	X	X	X	X	X	SP	SP	X	X	W	6	-
Sailmaking	X	X	X	X	P	P	P	P	X	P	P	P	X	X		6	
Warehouse & Distribution	X	X	X	X	X	P	X	X	X	X	P	P	X	X	W	6	
RESIDENTIAL																	
Residential, Household Living																	
Accessory Unit	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	X	X	X		3	
Active Senior Housing	SP	SP	SP	SP	SP	SP	X	X	SP	SP	X	X	X	X		2/3	-
Cottage Unit	C	C	X	C	X	X	X	X	X	C	X	X	X	X		3	
Caretaker/Security Service Dwelling	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	X	X		3	

P = Permitted C = Permitted with Conditions SP = Permitted with Special Permit A = Permitted only as an accessory use																	W = Additional conditions or restrictions under the WRPD Blank = Meet General Performance Standards for WRPD X = Prohibited A/C or A/SP = Permitted only as an accessory use with conditions or a special permit																
	RESIDENTIAL DISTRICTS				COMMERCIAL/MIXED-USE DISTRICTS						INDUSTRIAL DISTRICTS		GREEN DISTRICTS		WRPD Overlay	Pkng	Conditions																
PERMITTED USES (RESIDENTIAL, cont.)	RS	R	RU	RMF	CN	CR	MDD	WW	MTC	MVC	IM	IG	GR	GC																			
Dwelling, Multi-Unit	X	X	X	C	C	C	C	X	C	C	X	X	X	X		3	-																
Dwelling, One Unit	P	P	P	P	C	C	P	X	X	P	X	X	X	X		2	-																
Dwelling, Two Unit	X	P	P	P	P	P	P	X	X	P	X	X	X	X		2	-																
Home-Based Business	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	A/C	X	X	X	X		TBD																	
Mobile Home Park or Subdivision	SP	SP	SP	SP	SP	SP	X	X	SP	SP	X	X	X	X		3	-																
Residential, Lodging																																	
Bed & Breakfast	SP	SP	C	C	P	P	C	X	C	C	X	X	X	X		15																	
Hotel/Motel	X	X	X	X	P	P	C	X	P	P	P	C	X	X		15	-																
Residential, Health/Institutional																																	
Community Group Residence, Limited																11	-																
Nursing Facility	X	X	C	C	C	C	X	X	C	C	X	X	X	X		11	-																
Residential Counseling Facility																11	-																

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	RESIDENTIAL DISTRICTS				COMMERCIAL/MIXED-USE DISTRICTS						INDUSTRIAL DISTRICTS		GREEN DISTRICTS		WRPD Overlay	Pkng	Conditions
PERMITTED USES (RESIDENTIAL, cont.)	RS	R	RU	RMF	CN	CR	MDD	WW	MTC	MVC	IM	IG	GR	GC			
Residential Life Care Facility	SP	SP	SP	SP	SP	SP	X	X	SP	SP	SP	X	X	X		11	-
Transitional Residential Facility																11	-
RESTAURANT																	
Drinking Establishment	X	X	X	X	P	P	SP	X	P	SP	P	X	X	X		12	-
Drive Through Facility for Restaurant	X	X	X	X	A/SP	A/SP	X	X	A/SP	X	X	X	X	X		-	-
Restaurant, Fast Food	X	X	X	X	P	P	C	A/SP	P	C	P	X	X	X		12/13	-
Restaurant, Mobile	X	X	C	C	C	C	C	C	C	C	C	C	C	C		-	-
Restaurant, Standard	X	X	X	X	P	P	C	A/C	P	C	C	X	C	X		12	-
RETAIL																	
Drive Through Facility for Retail	X	X	X	X	A/C	A/C	X	X	A/SP	X	A/C	X	X	X		20	-
Outdoor Storage Yard, Accessory	X	X	X	X	A/SP	A/SP	X	A/SP	A/SP	A/SP	A	A	X	X	W	6	

<div> <div> P = Permitted C = Permitted with Conditions SP = Permitted with Special Permit A = Permitted only as an accessory use </div> <div> W = Additional conditions or restrictions under the WRPD Blank = Meet General Performance Standards for WRPD X = Prohibited A/C or A/SP = Permitted only as an accessory use with conditions or a special permit </div> </div>																	
	RESIDENTIAL DISTRICTS				COMMERCIAL/MIXED-USE DISTRICTS						INDUSTRIAL DISTRICTS		GREEN DISTRICTS		WRPD Overlay	Pkng	Conditions
PERMITTED USES (RETAIL, cont.)	RS	R	RU	RMF	CN	CR	MDD	WW	MTC	MVC	IM	IG	GR	GC			
Retail, Small-Scale	X	X	X	X	P	P	P	X	P	P	P	X	X	X	W	1	
Retail, Medium-Scale	X	X	X	X	P	P	P	X	P	X	P	X	X	X	W	1	
Retail, Large-Scale	X	X	X	X	X	P	X	X	X	X	P	X	X	X	W	1	
Retail with Large Indoor Storage	X	X	X	X	P	P	P	X	P	P	P	X	X	X	W	1	
SERVICES																	
Cemetery (New)	X	X	C	X	X	X	X	X	X	X	SP	SP	X	X	X	-	-
Cemetery (Existing)	C	C	C	C	C	C	C	C	C	C	C	C	C	C		-	-
Churches and Other Places of Religious Worship	P	P	P	P	P	P	P	X	P	P	P	X	X	X		8	
Crematory Services	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	8	
Drive Through Facility for Services	X	X	X	X	A/C	A/C	X	X	X	A/C	A/C	X	X	X		20	-
Elementary and Secondary Schools, Colleges & Universities	C	C	C	C	P	P	P	X	P	P	P	X	X	X		-	-

<div> <div> P = Permitted C = Permitted with Conditions SP = Permitted with Special Permit A = Permitted only as an accessory use </div> <div> W = Additional conditions or restrictions under the WRPD Blank = Meet General Performance Standards for WRPD X = Prohibited A/C or A/SP = Permitted only as an accessory use with conditions or a special permit </div> </div>																	
	RESIDENTIAL DISTRICTS				COMMERCIAL/MIXED-USE DISTRICTS						INDUSTRIAL DISTRICTS		GREEN DISTRICTS		WRPD Overlay	Pkng	Conditions
PERMITTED USES (SERVICES, cont.)	RS	R	RU	RMF	CN	CR	MDD	WW	MTC	MVC	IM	IG	GR	GC			
Funeral Services	X	X	X	X	P	P	X	X	X	P	X	X	X	X	W	8	
Personal Services	X	X	X	X	P	P	P	X	P	P	P	X	X	X	W	1	
Professional, Arts & Educational Schools and Studios, Non-Degree	X	X	SP	X	P	P	P	X	P	P	C	X	X	X	W	5	
Professional Offices	X	X	SP	X	P	P	P	C	P	P	P	P	X	X		5	-
Self-Service Storage Facility	X	X	X	X	X	C	X	X	X	X	C	C	X	X	W	7	-
Town of Groton Services	P	P	P	P	P	P	P	P	P	P	P	P	P	P		-	
SIGNS																	
Accessory	A	A	A	A	A	A	A	A	A	A	A	A	A	A		-	
Non-Accessory	X	X	X	X	X	C	C	C	X	X	C	X	X	X		-	-
Non-Accessory, Temporary	C	C	C	X	C	C	C	C	C	C	C	C	C	C		-	-
TRANSPORTATION, COMMUNICATION & UTILITIES																	

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	RESIDENTIAL DISTRICTS				COMMERCIAL/MIXED-USE DISTRICTS						INDUSTRIAL DISTRICTS		GREEN DISTRICTS		WRPD Overlay	Pkng	Conditions
PERMITTED USES	RS	R	RU	RMF	CN	CR	MDD	WW	MTC	MVC	IM	IG	GR	GC			
Airport/Heliport	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X	-	
Telecommunication Facility	C	C	C	C	C	C	C	C	C	C	C	C	X	X		-	-
Telecommunication Tower	X	X	SP	SP	SP	SP	X	X	X	X	SP	SP	X	X		-	-
Transit Stations & Hubs	X	X	X	X	P	P	P	P	P	P	P	P	X	X	W	-	
Utility Infrastructure	C	C	C	C	C	C	C	C	C	C	C	C	C	C	W	-	-
VEHICLE & HEAVY EQUIPMENT																	
Bus & Limo Garage and Maintenance	X	X	X	X	X	P	X	X	X	X	X	P	X	X	X	17	
Construction, Farm & Heavy Equipment Rentals	X	X	X	X	X	P	X	X	X	X	P	P	X	X	X	17	
Construction, Farm & Heavy Equipment Sales	X	X	X	X	X	P	X	X	X	X	P	P	X	X	W	17	
Contractor Vehicle Parking & Const. Equipment Storage	X	X	X	X	X	P	X	X	X	X	P	P	X	X	X	17	
Contractor Vehicle Parking & Const. Equipment Storage, Residential	A/C	A/C	A/C	A/C	A/C	X	X	X	A/C	A/C	A/C	X	X	X		17	-

<div> <div> P = Permitted C = Permitted with Conditions SP = Permitted with Special Permit A = Permitted only as an accessory use </div> <div> W = Additional conditions or restrictions under the WRPD Blank = Meet General Performance Standards for WRPD X = Prohibited A/C or A/SP = Permitted only as an accessory use with conditions or a special permit </div> </div>																	
	RESIDENTIAL DISTRICTS				COMMERCIAL/MIXED-USE DISTRICTS						INDUSTRIAL DISTRICTS		GREEN DISTRICTS		WRPD Overlay	Pkng	Conditions
	RS	R	RU	RMF	CN	CR	MDD	WW	MTC	MVC	IM	IG	GR	GC			
PERMITTED USES (VEHICLE & HEAVY EQUIPMENT, cont.)																	
Fuel Dealer with Storage	X	X	X	X	X	P	X	X	X	X	P	P	X	X	X	1	
Fuel Dealer without Storage	X	X	X	X	P	P	P	X	P	P	P	P	X	X	W	1	
Fuel Dispensing Station	X	X	X	X	C	C	X	C	C	C	C	C	X	X	W	16	-
Marine Craft & Equip. Display and Sales	X	X	X	X	X	P	P	P	X	C	P	X	X	X	W	17	-
Vehicle Dealers (New Vehicles)	X	X	X	X	X	P	X	X	X	X	P	X	X	X	W	17	
Vehicle Dealers (Used Vehicles)	X	X	X	X	X	P	X	X	X	X	P	X	X	X	X	17	
Vehicle Parts & Supplies (New Merchandise)	X	X	X	X	P	P	P	X	P	P	P	X	X	X		1	
Vehicle Rental	X	X	X	X	X	P	SP	X	P	SP	P	P	X	X		1	-
Vehicle Repair & Service, Major	X	X	X	X	X	P	X	X	X	X	P	P	X	X	X	16	
Vehicle Repair & Service, Minor	X	X	X	X	C	P	X	X	C	X	P	P	X	X	W	16	-
Vehicle Washing Facility	X	X	X	X	C	C	X	X	SP	X	C	C	X	X	W	18	-

Dimensional, Building, and Lot Standards

Introduction

INSERT NEW TEXT

Dimensional Standards by Zoning District

INSERT

Table 5.2: LOT, YARD AND BUILDING REQUIREMENTS BY ZONING DISTRICT

Commentary: Alternatively, if the dimensional standards laid out under each zoning district suffice, there may be no need for this table.

Town-Wide Standards

Accessory Buildings

Detached accessory buildings not more than 14 feet in height and not used for human habitation or for the housing of animals may be located in the required side or rear yard, provided that they are located not less than **40** feet from any street line and not less than 6 feet from any side or rear yard line.

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Deleted: and provided further that they occupy in the aggregate not more than 20% of the area of the required rear yard

Existing Lots

1. The provisions of these regulations relative to required lot area and required lot width **does** not prevent the construction of an otherwise permitted building or the establishment of an otherwise permitted use on a lot which, at the time of the adoption of these regulations, or of any pertinent amendment thereto, and continuously thereafter, was owned separately from any adjoining lot, as evidenced by deed recorded in the Land Records of the Town of Groton.
2. In those instances where an existing lot area is less than the required minimum lot area for the zone, the required side and rear yards **are** the same as in the least restrictive district to which the lot area most nearly conforms. *Note: 4-10-18. May need additional discussion as we go through regulations. It may be OK for side and rear yards to comply with less restrictive district. May want to hold front yards to their district requirements for streetscape issues.*
3. An Existing lot that was never improved and is part of an approved and recorded residential subdivision may comply with the zoning regulations that were in effect at the time of subdivision, per CGS.

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Floor Area of Dwelling

All indoor calculations dealing with minimum floor area **are** guided by applicable building code and health code requirements, as determined by the Building Official.

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Front Yards

On any block where two or more buildings have a front yard setback less than required by these regulations, new buildings may be constructed to a front setback line which is the average of

Section 4: District Regulations -pg 82

the improved lots along both sides of that same street between the two nearest intersections. Accessory buildings will not be included in this calculation.

Height Limitation

Commentary: A few edits based on Town's comments.

1. The building height limit **is** applied separately for each wing or other distinct portion of the building.
2. Spires, cupolas, towers (other than telecommunication towers, **which are reviewed and approved by the Connecticut Siting Council**), chimneys, flagpoles, penthouses, and similar features occupying in the aggregate not more than 10% of the building area and not used for human occupancy may be erected to **the following heights:**
 - a. **10 feet above the maximum elevation of the zone, with Administrative Site Plan, or**
 - b. **To a reasonable and necessary height as determined by the Planning and Zoning Commission.**

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Deleted: ventilators, tanks,

Commentary from Staff: Need to come up with some standards for how the Commission would determine what is reasonable and necessary or change this wording. Too arbitrary.

Telecommunication towers may be erected to the minimum height necessary as specified in **Section 7.1-41 E.** of the regulations **and/or through the review and approval of the Connecticut Siting Council, as appropriate. Such towers no more than 10 feet above the maximum elevation of the zone that are not in the Siting Council's jurisdiction may be approved through Administrative Site Plan. (Eff: 4/15/97)**

Commentary from Staff: Change and possibly add staff approval 10-feet

Water storage tanks (owned and operated by a water supply company), **ventilators, and other structures whose height is required in order to function in accordance with its intended purpose** may be erected to a reasonable and necessary height as determined by the **Planning and Zoning Commission**. In making such a determination, the Commission **must** consider the need for and location of the proposed **structure, and the relationship between its height and its ability to function in accordance with its intended purpose properly and safely.** (Eff: 12/16/94)

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Commentary from Staff: Need to come up with some standards for how the Commission would determine what is reasonable and necessary or change this wording. HW: Will check with attorney to see if "reasonable and necessary" suffices for technical structures.

Lots Adjacent to a Railroad

When a commercial or industrial use in a commercial or industrial district abuts a railroad, the use may be built up to the railroad along any side or rear lot line if it will be using the railroad for purposes of transporting passengers or freight, delivery, etc. In these cases, the use does not have to meet the underlying side or rear yard setbacks.

Deleted: In the case of a side or rear lot line in a commercial or industrial district which is contiguous to the right-of-way of railroad siding, the applicable yard shall not be required for any commercial or industrial use.

More than One Principal Building on a Lot

No lot in any residential district, except lots containing multi-unit or townhouse dwellings, Town of Groton services, **active senior housing**, or institutional services such as elementary and secondary schools, child day care centers, adult day care, residential life care communities, **community residential counseling facilities**, or colleges and universities, **must** contain more than one principal building, unless otherwise authorized in these regulations.

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Commentary: This is pretty self-evident and legally obvious. Probably does not need to remain, unless the Town has experienced particular problems. **Party Line Agreement**

In all commercial, mixed-use, and industrial districts, by agreement of the owners of two adjacent lots, duly recorded in the Land Records of the Town of Groton, one side yard for each lot may be omitted and buildings built on the common lot line, provided that the party or other walls separating them meet all relevant building and fire codes. A party line agreement may allow for buildings to be built anywhere within the required yard areas along the property line associated with the party line agreement.

Deleted: **Open Spaces Required for Each Building**

Except as specifically provided herein, no part of any yard or other open space required around any building may be included as part of a yard or other open space required for any other building.

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Projection Into Setbacks

Nothing in these regulations prohibits the projection of not more than two feet over a required setback line of pilasters, columns, belt courses, sills, cornices, or other similar architectural features.

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Required Frontage and Access

Commentary: Staff has updated this piece, and is reviewing it with BO/ZO.

Zero Lot Line

Zero lot line lots for attached dwellings may be created in all residential zones, by agreement of the owners of the affected adjacent lots duly recorded in the Land Records of the Town of Groton, provided the following:

1. Each lot contains the minimum lot area per dwelling unit required in the applicable zone, and complies with all other lot, yard and building requirements.
2. The side yard opposite the zero lot line must meet the combined side yard width required for both sides of the property.
3. Each individual lot **must** be vacant and abut another vacant lot to which side the zero lot line is being created.
4. Zero lot lines will only be allowed on side lot lines, and not on rear or front lot lines.
5. This section applies only to dwellings on zero lot lines, and not to dwellings that otherwise do not meet the setback requirements.
6. A common-wall agreement and maintenance easement **must** be established between the 2 property owner and recorded with the Town. The common-wall agreement **must** address future enlargement or additions of the principal structure.
7. Attached zero-lot line dwellings **must** be constructed in pairs with certificates of occupancy not issued until both units are complete.

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8. Compliance with all building and fire codes can be achieved.

Storage of Unregistered Vehicles and/or Waste Material

Commentary: Minor Edits. Moved from former Section 4, General Regulations. Needs to be reviewed by the BO/ZO before finalized.

- Temporary storage of unregistered vehicles **is** allowed in residential zones as follows:

In RS and R zones, one unregistered vehicle may be stored outside. In RU zones, two unregistered vehicles may be stored outside. Storage of these unregistered vehicles must be in the side or rear yard and **must** not be visible from the street.

All such storage must be temporary and such vehicles must be capable of and intended to be placed in running condition and registered in six (6) months time.

- In **CN, CH, IM** and **IH** zones, storage of unregistered vehicles **is** an accessory use to businesses having the appropriate Department of Motor Vehicles license only.
- Except as provided above, no waste or scrap material, debris, motor vehicles which are partially or wholly dismantled, motor vehicle parts, abandoned machinery, junk or similar unsightly material **must** be stored or allowed to accumulate in any open space or outside a completely enclosed building on any lot in any district other than as may be permitted in an industrial district. This provision **does** not apply to the temporary storage of waste material from a construction operation being legally executed on the same **lot**.

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SECTION 5: USE STANDARDS

Commentary: Below is a document with the Conditional Uses reviewed by Town Staff as of 3-21-18. Existing use condition edits are noted in Track Changes. New use conditions are noted as such with a gray comment box. Additional comments and questions for the ZC can also be found in these gray boxes. Note that the introduction language has been updated by staff to clarify the differences between conditional uses and special permits, and the application process.

Conditional Uses

Each of the following uses is permitted in a specific district to the extent indicated in Table 5.1 Use Table for that use and district, subject to all provisions of the applicable district, and the provisions in this section. The uses are divided into two categories as follows:

- Conditional: a use that is permitted in the underlying zoning district if it meets all provisions of the regulations for that district and the specific conditions listed in this Section.
- Special Permit: a use that is permitted in the underlying zoning district if it meets all the requirements for that district, the specific conditions listed in this Section, and receives an approval of a Special Permit by the Planning and Zoning Commission. Certain classes or kinds of buildings, structures, or uses of land may only be appropriate in particular locations or districts based on how their attributes relate to specific locations. Such uses are permitted only after the grant of a special permit by the Planning and Zoning Commission pursuant to the requirements of Section X.X of these Regulations.

Application: Every application for the use of property subject to conditions set forth in this Section **must** be filed in accordance with the provisions of these regulations. Conditional Uses that also require a Special Permit are noted in the descriptions below. Uses **are** also subject to site plan approval by the Planning and Zoning Commission or administrative site plan approval, whichever is appropriate, and any other approval stipulated in this section.

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ACCESSORY USES

Accessory Dwelling Units

The intent of this regulation is to encourage the provision of affordable housing units for families and individuals and to encourage the provision of housing units for small and multi-generational households. An accessory dwelling unit is permitted within the principal dwelling unit or as a detached, freestanding unit subject to Administrative Site Plan Approval and the following conditions:

- A. Associated with One Unit Dwelling: Each accessory dwelling unit created must be associated with a one unit dwelling and there may be only one accessory dwelling unit permitted for each one unit dwelling.
- B. Owner Occupied: The owner of the residence with which the accessory dwelling unit is associated must occupy at least one of the dwellings.
- C. Standards: **Detached, freestanding** accessory dwelling units are permitted, provided they meet all lot, yard and building requirements of **Section 5.2**, required of the principal dwelling.
- D. Size: The accessory dwelling unit **must** clearly be the secondary use and its maximum floor area **must** not exceed 800 SF.
- E. Parking: Off-street parking **must** be provided for all accessory apartments and the principal dwelling in accordance with Section 7.2-3.
- F. Facilities: Each accessory dwelling unit **must** have its own independent bathroom and kitchen facilities.
- G. Design: **Unless prohibited by the State Building Code, all stairways to second or third stories must be enclosed within exterior walls.**

When located within the principal dwelling unit, accessory dwelling units must be designed so that the appearance of the building remains that of a single family residence as much as feasibly possible, and any new entrance must be located on the side or in the rear of the principal dwelling unit.

When located within a new detached, freestanding building, the unit must meet the required front yard setback and also be set back farther from the front property line than the façade of the principal dwelling unit. *Note: 4-10-18 Needs discussion with ZC and Staff*

Contractor Vehicle Parking and Construction Equipment Storage, Residential

Residential Lot: The storage/parking of no more than one contractor's construction or commercial motor vehicle per residential lot, not exceeding 1½ tons capacity, whether inside or outside a building, is a permitted accessory use. This limitation does not apply in those instances where a property is being primarily used for agricultural or similar uses allowed by these regulations in the district where the lot is located.

Residential Lot in RU District: Contractor's Vehicle Parking and Construction Equipment Storage is a permitted accessory use in the RU district, provided all such vehicles and equipment are stored or parked within a building. (Except for one vehicle meeting the above requirements.)

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Drive Through Facilities

Drive through facilities are permitted accessory uses on lots equal to or greater than 20,000 SF in any non-residential zone, except MDD, WW, and MVC, in which the principal use is permitted, subject to the following conditions:

- A. Location On-Site: Drive through facilities, including required stacking lanes, must be located in the rear or side yards only.
- B. Curb- Cuts: Drive through facilities will not generate the need for an additional driveway curb cut.
- C. Stacking Spaces
 - a. Restaurants: For fast food restaurants or any window designated for the pick-up of readily consumable food or beverage, a minimum of ten (10) stacking spaces entering and one stacking space exiting will be provided for each drive through window, including the vehicle being serviced. Where an order board and pickup window are involved at such an establishment, a minimum of five (5) stacking spaces must be provided before the order board, including the vehicle being serviced.
 - b. Banks: For banks, a minimum of five (5) stacking spaces entering and one (1) stacking space exiting will be provided for each drive through window or ATM, including the vehicle being serviced.
 - c. Pharmacies: For pharmacies or any window designated for the pick-up of retail goods to be used or consumed at a later time, a minimum of three (3) stacking spaces entering and one (1) stacking space exiting will be provided for each drive through window, including the vehicle being serviced.
- D. Size: Stacking lanes **must** be a minimum of 10 feet wide and each space shown **must** be 20 feet long.
- E. Circulation: Stacking lanes **must** be separate from internal aisles which allow traffic to circulate through the site without entering the drive through facility.
- F. Exiting Space: Exiting stacking spaces **must** be separate from other circulation aisles and **must** be at least 50 feet from the curb line of the street to which they will exit.
- G. Traffic/Pedestrian Circulation: Stacking lanes **must** be designed and located so as to minimize traffic congestion and to promote pedestrian safety through the use of pavement markings, signs, and designated walkways.

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Home-Based Business

Home-based businesses are permitted accessory uses in residential dwellings, regulated according to business intensity as defined by the following three categories and subject to the following conditions:

Section 5: Use Conditions -pg 88

Home Office -- The use of a dwelling as a home-based business involving no non-resident employee(s) and no patron, client, or associate visits to the business. (Requires Administrative Site Plan)

Comment from Staff: ZC on 4-4-18 did not want any review requirements. BO/ZO still wants an ASP because otherwise it is a problem with enforcement if a business is not following the regulations. If not an ASP then maybe a Zoning Permit with the business owner coming in and filling out Zoning Permit and a checklist that shows regulations are met and we know what is being done on site.

Home Occupation, Minor -- The use of a dwelling for a home-based business involving any of the following: (Requires Administrative Site Plan)

- Up to one (1) non-resident employee; or
- Up to five (5) patron, client, or associate visits per day.

Home Occupation, Major -- The use of a dwelling for a home-based business involving any of the following: (Requires Special Permit and Administrative Site Plan)

- A maximum of two (2) non-resident employees
- More than five (5) patron, client, or associate visits per day; or
- Classroom, studio, or outdoor teaching activity not normally permitted in the district.

Regulations/Applications:

Home Office: Allowed in one and two unit dwellings and multi-unit dwellings with an Administrative Site Plan approval and subject to the following conditions.

Home Occupation, Minor: Allowed in one and two unit dwellings with an Administrative Site Plan approval and subject to the following conditions.

Home Occupation, Major: Allowed in one and two unit dwellings with a Special Permit and Administrative Site Plan approvals and subject to the following conditions.

Conditions:

- Size: The home-based business must not occupy more than 25% of the gross floor area of the dwelling unit or 500 ~~SF~~, whichever is less.
- Residential Character: The home-based business must not change the exterior residential character of the dwelling in any visible manner.
- Residential Use: The home-based business must be clearly incidental to the residential use of the dwelling.
- Employees: A home-based business may allow the following employees.
 - Home Office: allows only residents of the dwelling unit as employees.
 - Home Occupation, Minor: allows up to one (1) non-resident employee.
 - Home Occupation, Major: allows up to two (2) non-resident employees.

Deleted: sq. ft.

- E. Signage: Any signage on the site must meet the requirements of **Section** of these regulations.
- F. Storage: The home-based business must not store any materials, products, or equipment outside of the space allocated in subsection A. above.
- G. Performance Standards: The home-based business must not create any odor, dust, vibrations, smoke, gas fumes, radiation, electromagnetic interference, or unsightly conditions noticeable on or off the lot, nor any noise or lighting in excess of what is normally associated with a dwelling unit.
- H. Traffic: The home-based business is allowed pedestrian or vehicular traffic based on the following:
- Home Office: no allowance for patron, client or associate visits to the business
 - Home Occupation, Minor: allowance for a maximum of five (5) patron, client or associate visits per day. Typically by appointment only.
 - Home Occupation, Major: allowance for more than five (5) patron, client or associate visits per day or as stipulated in the Special Permit for the site. Typically by appointment only.
- I. Parking: Parking spaces **must** be provided for the principal use in accordance with **Section** and the following:
- Home Office: no additional parking required
- Home Occupation, Minor: One additional onsite parking space must be provided for patrons, clients, or associates.
- Home Occupation, Major: Two additional onsite parking spaces must be provided for patrons, clients, or associates or as specified in the approved Special Permit.

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AGRICULTURAL, ANIMAL & NATURAL RESOURCES

Aquaculture (Tank and/or Enclosure)

- A. Special Permit: A special permit is required for aquaculture use in a RU district
- B. Lot Size: The minimum lot size in the RU District is 5 acres.
- C. Setback: No building or other facilities associated with the aquaculture use in an RU district is permitted within 100 feet of any property line.
- D. Outdoor Storage: In all zone districts where aquaculture is permitted, the outdoor storage of hazardous material or waste material from aquaculture activities is prohibited.
- E. Stormwater: All aquaculture uses must demonstrate compliance with the Town's Stormwater Regulations.

Agriculture, Commercial and Nurseries and Greenhouses, Commercial (formerly farm and nursery)

Commercial agriculture, nurseries or greenhouses, including truck gardens, are permitted subject to the following conditions:

A. Lot Size: There **must** be a minimum lot area of 5 acres.

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B. Setbacks:

- a. No livestock, horses, or poultry **are allowed to** be housed or permitted to graze within 100 feet of any property line.
- b. No building or structure other than a dwelling or display and sales area **is** permitted within 75 feet of any property line.

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C. Sales for Commercial Agriculture: The sale of farm produce raised on the lot is permitted as an accessory use to any commercial agriculture **use** provided:

Deleted: , garden produce, and nursery stock

Deleted: , nursery or greenhouse,

- a. The **indoor** display and sales area is limited to one building or structure not to exceed 200 **SF** in area. **Additional display and sales areas are allowed outdoors.**
- b. Provision is made for at least four off-street parking spaces.

Deleted: sq. ft.

D. Sales for Commercial Nurseries and Greenhouses: The sale of garden produce and nursery stock raised on the lot is permitted as an accessory use to any commercial nursery and greenhouse use, provided:

- a. Provision is made for at least one parking space for every 1,000 SF of indoor sales area.

Note: The above should be further reviewed and discussed by staff and the ZC. With this language, there would be no limit on the indoor display and sales area for nurseries and greenhouses other than what is decided by the underlying zoning. Also Commercial Agriculture would be allowed unlimited outdoor display and sales areas.

E. Stormwater: Compliance with the Town's Stormwater Regulations must be demonstrated.

F. Waste: All animal excrement must be properly stored and disposed of, so as not to contaminate nearby watercourses, wetlands, **and groundwater** (e.g., composting in enclosed bins or transporting offsite).

Agriculture, Home (Keeping of Hens plus additions)

A. Sales: The sale of produce and other home agriculture products raised and prepared on the lot is permitted as an accessory use **with an Administrative Site Plan and** subject to the standards **below**:

1. **Size: A farm stand and display area must not exceed a total of 50 sq.ft.**
2. **Residential Use: The sales and display area must be clearly incidental to the residential use of the dwelling.**
3. **Parking: One (1) parking space is required for the farm stand in addition to any parking required for the main use on the site.**
4. **Employees: Only residents of the dwelling unit are allowed as employees.**

5. **Signage:** Any signage on the site must meet the requirements of **Section X.X** of these Regulations.
 6. **Storage:** Materials, products, or equipment related to sales must not be stored outside of the space allocated in subsection A1. above.
 7. **Performance Standards:** The sales area must not create any odor, dust, noise or lighting in excess of what is normally associated with a dwelling unit.
- B. **Home-Based Business:** Any sale of Home Agriculture products that does not meet the above standards (A1-A7) must comply with and receive approval under the Home-Based Business **Section X.X** of these regulations.
- C. **Keeping of Animals:** the keeping of hens and other livestock animals have additional conditions as described below.

Keeping of Hens

Purpose: This regulation provides for the limited keeping of female chickens, referred to as hens, on residentially used properties, for the health, convenience, personal enjoyment and benefits afforded by such use, and in a manner which preserves the quality of life of the surrounding neighborhood.

The keeping of hens on properties used for residential purposes **will** be subject to the following standards:

- A. **Number of Hens:** No more than four (4) hens may be kept on any lot of twenty thousand (20,000) **SF** or less. On lots greater than twenty thousand (20,000) **SF** and up to five (5) acres, no more than ten (10) hens may be kept. In any case, the keeping of hens **is** considered a non-commercial accessory use to a residential use. Keeping of hens on lots greater than five (5) acres **is** considered a commercial farm use subject to Section 7.1-9.
- B. **Location on Lot:** Hens **must** be confined to a fenced enclosure located in a rear or side yard only. In lieu of the buffer requirements of Section 7.4-4, the enclosure, coop, and any storage area for food or compost waste **must** be at least ten (10) feet from any property line and at least twenty (20) feet from any residential structure on adjacent properties.
- C. **Enclosure, Food, and Waste:** A coop **is** required and **must** be located entirely within the fenced enclosure or the coop **must** have direct access to the fenced enclosure for the hens. The coop **must** be no greater than eight (8) feet in height and no more than twenty five (25) **SF** for up to four (4) hens and no more than fifty (50) **SF** for up to ten (10) hens. The coop and the enclosure **must** be designed and constructed so hens do not have access outside of the enclosed area. All food products and waste **must** be kept

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so as to limit offensive odors and the presence of pests and predators, including, without limitation, by keeping all food products in waterproof and sealed containers off the ground at all times. Waste may be composted.

- D. Residential Buildings: No hens **are to** be kept inside any building or structure used for residential purposes.
- E. Roosters: No rooster **is allowed** on any property under five (5) acres.
- F. CT Public Health Code: The keeping of hens **must** be conducted in a manner consistent with and in compliance with the State of Connecticut Public Health Code, including, without limitation, Section 19-13-B32(e) with regard to properties within a public water supply watershed.
- G. Certificate of Zoning Compliance: A Certificate of Zoning Compliance is required for the keeping of hens which must be accompanied by a plot plan showing the location and dimensions of the fenced area, coop, and any storage area for food and/or compost waste.

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Keeping of Other Livestock Animals (not hens)

Within the RS-20, RU-20, and RU-40 zoning districts, Home Agriculture and the non-farm keeping of livestock is permitted on properties between 2 and 4.99 acres, subject to the criteria below. With the exception of hens (see Sec. 7.1-47), and a total of one miniature pig, goat or sheep kept as a household pet, the non-farm keeping of livestock is not permitted in other zoning districts.

A. Lot Size and # of Animals: The minimum lot area **is** two acres. The keeping of a combination of animal types (Group 1, 2 and 3) **must** be limited as described below. In no case shall a lot contain more than 12 total livestock animals, including hens. This limitation does not apply to household pets. The following list specifies maximums for animals by the size of animals kept:

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(1) Group 1. Animals whose average adult weight is less than 10 pounds (ducks, rabbits, etc.) **are** permitted with a maximum number of 12 animals. Any hens kept per Sec. 7.1-47 will count toward this maximum.

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(2) Group 2. Animals whose average adult weight is between 10 and 65 pounds (goats, miniature pigs, turkeys, geese, etc.) **are** permitted with a maximum number of 4 animals.

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(3) Group 3. Animals whose average adult weight is greater than 65 pounds (e.g. horses, cows, alpacas, llamas, sheep, etc.) **are** permitted with a maximum number of 2 animals.

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B. Setbacks: The following lists minimum setbacks (from all property lines) for any pasture or recreation area and any structure used to house non-farm livestock. Should one structure be used to house a combination of animal types, the most restrictive setback **will** apply:

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(1) Group 1 Animals.

- (a) A minimum twenty-foot setback (ten-foot setback for hens only – see **Sec. 7.1-47**).
- (2) Group 2 Animals.
 - (a) A minimum fifty-foot setback.
- (3) Group 3 Animals.
 - (a) A minimum seventy-five foot setback.

C. Buildings and Structures: All buildings and structures used to house non-farm livestock **must meet the following**:

- (1) Be prohibited from placement in the front yard.
- (2) Be predator resistant and well-ventilated.
- (3) Be kept clean, dry, and sanitary at all times.

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D. Pasture/Recreation Areas: All outdoor pasture/recreation areas **must** be enclosed with fencing to prevent the escape of the animals.

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E. Maintenance: All animals, their housing and their outdoor pasture/recreation areas **must** be properly maintained so as not to become a nuisance to adjoining properties.

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F. Animal Waste: All animal wastes **must** be properly stored and disposed of. Manure must be removed from the site or must be composted in enclosed bins, which **must** not be stored within fifty (50) feet of a lot line. Areas where manure is stored or composted **must** be visually screened from dwellings on adjacent lots.

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G. Feed Storage: All feed must be stored, secured and covered in a **tamper** resistant container or area.

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H. CT Public Health Code: Nothing in this section diminishes the property owners separate responsibility for addressing compliance with the keeping of livestock and storage and disposal of waste under the State of Connecticut Public Health Code.

I. Certificate of Zoning Compliance: A Certificate of Zoning Compliance is required for the non-farm keeping of livestock which must be accompanied by a plot plan showing the location and dimensions of the fenced area, animal housing structures, and any storage area for food and/or compost waste.

J. Stormwater: Compliance with the Town's Stormwater Regulations must be demonstrated.

K. Commercial Agriculture: Any parcel of land with five (5) or more acres which is used in the raising of agricultural products, livestock, poultry or dairy products, including necessary farm structures and the storage of equipment customarily incidental to the primary use is considered a farm and must follow the appropriate regulations relating to Commercial Agriculture.

Community Garden

Community gardens are permitted uses subject to the following conditions:

- A. Administrative Site Plan: Administrative Site Plan is required in allowed zones.
- B. Rules of Operation: The name and telephone number of the garden coordinator and a copy of the operating rules **must** be provided with the Administrative Site Plan.
- C. Use and Storage of Pesticides, Herbicides, and Fertilizers: The site will be designed and maintained so that water and fertilizer will not drain onto adjacent property. Storage of anything defined as a hazardous material must follow the requirements of **Section X.X**, Hazardous Materials.
- D. Stormwater: Compliance with the Town's Stormwater Regulations must be demonstrated.
- E. Buffer from adjacent residential uses/zone: Any storage area for compost waste must be at least 20 feet from any property line and any structure must be at least ten (10) feet from any property line.
- F. Parking: If daytime on-street parking is allowed on one or more streets adjacent to the community garden, no off-site parking is required. Otherwise, at least two (2) parking spaces are required. Such spaces may or may not be paved.
- G. Sales: There **must** be no retail sales on site, except for produce grown on the site. A farm stand of no more than 100 sq.ft. is allowed. Two (2) parking spaces are required for the farm stand in addition to any parking required under **sub-section E** above.

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Kennel, Commercial and Riding or Boarding Stable

Special Permit Required

Commercial kennels, riding stables, and boarding stables are permitted uses subject to approval of a special permit and the following conditions:

- A. A minimum lot area **must** be **5** acres for riding and boarding stables and **3** acres for commercial kennels, with the exception that commercial kennels serving only domestic cats need only meet the minimum lot size required by the applicable zoning district on which they are located.
- B. Open exercise areas and buildings containing animals **must** be a minimum of 100 feet from any property line, with the exception that commercial kennels serving only domestic cats need only meet the minimum setbacks required by the applicable zoning district on which they are located. *Note: Could allow buildings closer if they are sound proofed.*

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- C. Open exercise areas **must** be enclosed by a fence at least 5 feet in height and such areas **must** be maintained in a sanitary and odor-free condition at all times.
- D. All stalls, pens and similar enclosures for animals **must** have a floor made from concrete or other impervious material which **must** contain adequate drainage facilities connected to an acceptable sanitary system for proper washing and maintenance.

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Veterinary Services & Pet Grooming Establishments

Special Permit Required

Veterinary Services and Pet Grooming Establishments are permitted uses subject to the following conditions and the approval of a special permit in the RU District and the following conditions in all other districts where the use is conditionally permitted:

- A. The minimum lot area for Veterinary Services shall be as required by the applicable district or 60,000 sq. ft., whichever is greater.
- B. All activities, except as provided in C below, **must** be conducted within an enclosed building.
- C. The building **must** be sufficiently soundproof so as not to create a nuisance to adjoining property owners or the general public.
- D. Open areas such as exercise areas are permitted subject to the additional conditions of **Section XXX** Kennel, Commercial and Riding or Boarding Stable.

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